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Tuesday, 7 January 1947

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

The Tribunal met, pursuant to adjournment,  
at 0930.

- - -

Appearances:

For the Tribunal, same as before with the  
exception of: HONORABLE JUSTICE JU-AO MEI, Member  
from the Republic of China, not sitting.

HONORABLE JUSTICE D. JARANILLA, Member  
from the Republic of the Philippines, now sitting.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

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(English to Japanese and Japanese  
to English interpretation was made by the  
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: All the accused are present  
4 except OKAWA and MUTO who are represented by their  
5 respective counsel. We have a certificate from the  
6 prison surgeon of Sugamo Prison certifying that the  
7 Accused MUTO is under medical treatment at the 361st  
8 Station Hospital and will be unable to attend the  
9 trial today. The certificate will be recorded and  
10 filed.

11 Mr. Howard.

12  
13 R Y U K I C H I T A N A K A, recalled as a witness  
14 on behalf of the prosecution, resumed the stand  
15 and testified further through Japanese inter-  
16 preter as follows:

17 CROSS-EXAMINATION (Continued)

18 BY MR. HOWARD (Continuing):

19 Q General, how was business conducted among  
20 the leaders in the War Ministry when KIMURA was Vice-  
21 Minister?

22 A When Lieutenant General KIMURA was Vice-  
23 Minister the vice-minister had no direct voice in  
24 controlling the various bureaus in the War Ministry.  
25 Lieutenant General KIMURA was a very good assistant



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1 to the War Minister and he expressed no positive  
2 voice in the functions, the various functions, of  
3 the various bureaus in the War Ministry.

4 THE MONITOR: Slight addition: Lieutenant  
5 General KIMURA was the Vice-Minister of War. Now,  
6 the Vice-Minister of War has no command authority  
7 over the chiefs of the various bureaus. Therefore,  
8 the vice-minister, as an assistant to the minister,  
9 necessarily merely obeys and carries out the wills  
10 and orders of the minister without putting forth any  
11 positive suggestions or opinions.

12 A (Continuing) As Chief of the Military Service  
13 Bureau I noticed that in the War Ministry there was  
14 too much positive action taken by the heads of the  
15 various bureaus. Since this was so, I entertained  
16 grave doubts as to the outcome of such a positive  
17 action taken by these chiefs. Therefore, I suggested  
18 to Lieutenant General KIMURA that something be done  
19 to exercise control over these bureau heads, but  
20 Lieutenant General KIMURA didn't agree with my sugges-  
21 tions, saying that since the War Minister was a very  
22 capable man we should leave him to decide such matters.  
23 I was very much afraid that the laissez faire policy  
24 such as taken by the lieutenant would lead to mal-  
25 function, to a general malfunction in the War Ministry.



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1 However, I was overruled by the lieutenant general.  
2 For this we called Vice-Minister KIMURA as a robot  
3 minister, robot vice-minister.

4 Q To what extent did the vice-minister partici-  
5 pate in the enactment and amendment of laws?

6 A Concerning laws the various heads of the  
7 sections would get in touch with the various bureau  
8 heads and the heads of the ministries in the Cabinet.  
9 Then the matter would be taken up at a Cabinet meet-  
10 ing, and the Vice-Minister of War, although he had  
11 authority to make suggestions, was not in a position  
12 to make decisions.

13 Q General, it wasn't quite clear over the  
14 speaker as to what was said a while ago as to what  
15 KIMURA was called.

16 A Robot, or doll I might say -- puppet.

17 Q Did bureau chiefs deal directly with the  
18 War Minister in some matters?

19 A In the War Ministry the vice-minister --  
20 in the regulations governing the War Ministry, the  
21 vice-minister had no command functions over the var-  
22 ious bureau heads. His authority was merely in a  
23 supervisory capacity. Consequently, the various  
24 bureau heads frequently got into direct contact with  
25 the minister and decisions were sometimes made

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accordingly.

1 THE MONITOR: Without the presence or  
2 consultation with the vice-minister.

3 A (Continuing) This isn't irregular.

4 Q Under what circumstances was KIMURA appointed  
5 vice-minister?

6 MR. JUSTICE MANSFIELD: If the Tribunal  
7 please, I object to this question on the ground that  
8 it doesn't arise out of the examination in chief.

9 THE PRESIDENT: The question is allowed.

10 A Concerning the appointment of Vice-Minister  
11 KIMURA, since I was not then the Chief of the Personnel  
12 Bureau I don't know exactly. However, I was told  
13 by the Chief of the Personnel Bureau personally in a  
14 private conversation that since Lieutenant General  
15 KIMURA was at one time Chief of the Munitions Bureau,  
16 Ordnance Bureau, and since he was very well acquainted  
17 with the personal character of General TOJO and was  
18 very obedient to him, he was appointed vice-minister  
19 for those reasons.

20 THE MONITOR: Slight correction: Since  
21 Lieutenant General KIMURA had been at one time the  
22 Chief of the Ordnance Bureau and was well acquainted  
23 with matters within the War Ministry, and since in  
24 view of the TOJO Cabinet it was felt that a servile  
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and honest men would be best for this position.

1       A   (Continuing) Another thing. War production  
2       at about the year 1940 and 1941 was gradually waning;  
3       it was considered the best policy -- the war produc-  
4       tion reached its climax in the year 1940 or 1941 --  
5       at 1940, and in 1941 it gradually began to wane, it  
6       was considered the best policy to appoint Lieutenant  
7       General KIMURA the vice-minister in order to boost  
8       war production.  
9

10       THE MONITOR: Because Lieutenant General  
11       KIMURA was well acquainted with the administration  
12       of the ordnance matters.

13       Q   Yesterday I asked you about Allied flyers  
14       and you replied about those who were captured about  
15       June 28th, I believe it was. There is another matter  
16       that is not yet in evidence in the case of the dis-  
17       posal of prisoners of war of May 2, 1942.

18       MR. JUSTICE MANSFIELD: If the Tribunal  
19       please, I submit that this does not arise out of the  
20       examination in chief which was held on Friday. It  
21       may arise out of the cross-examination but not out  
22       of the examination in chief.

23       THE PRESIDENT: The objection is overruled.  
24       The question is allowed.

25       Q   How was this case decided?



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1       A    You say that the matter concerning the prisoners  
2 of war were disposed of on May 2nd but that is not  
3 so. On May the 2nd merely the instructions came out.

4       THE MONITOR: As a memorandum from the Vice-  
5 Minister of War -- vice-minister's memorandum, as a  
6 vice-minister's memorandum.

7       A    (Continuing) This instruction came from  
8 the vice-minister by an order of the War Minister.  
9 Toward the end of April --

10       THE MONITOR: At the end of April the bureau  
11 chiefs meeting was held and at that time the Prisoner  
12 of War Information Bureau chief and Military Affairs  
13 Bureau chief had consulted each other, had asked the  
14 decision of the War Minister, and upon receiving it  
15 had decided to send this memorandum or information  
16 to the general staff, and this was the vice-minister's  
17 memorandum in question.

18       A    (Continuing) In this memorandum from the  
19 vice-minister there were instructions to the effect --  
20 it did not touch upon the question of laborers but  
21 there were instructions to the effect that prisoners  
22 of war captured in the southern regions, Formosa,  
23 China -- in the Southern Seas should be sent to  
24 Formosa, China and Manchuria and kept in prisoner of  
25 war camps in those regions.

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1 THE MONITOR: Add two other places: To the  
2 mainland of Japan, to Manchuria, Formosa, Korea and  
3 China, and to be placed in the prisoner of war camps  
4 in these places.

5 A (Continuing) Concerning the Doolittle  
6 flyers, the defense counsel mentioned the date, June 28  
7 as the date. I do not remember exactly the date and  
8 I do not recall mentioning any dates. When Lieutenant  
9 General SATO reported at the conference of the bureau  
10 heads that these prisoners of war were to be executed  
11 and such a decision was taken by the General Staff,  
12 the War Minister strongly objected. So did Lieutenant  
13 General KIMURA on the grounds that the Japanese  
14 residents in British and American territories may  
15 also be treated in such a way and it would have a  
16 very adverse affect upon them in general.

17 THE MONITOR: At the conference of the chiefs  
18 of bureaus, Chief of the Military Affairs Bureau  
19 Lieutenant General SATO reported that by decision of  
20 the Army Section, Imperial General Headquarters,  
21 Doolittle flyers were to be executed. At this time  
22 the War Minister strongly objected to this on the  
23 ground that it would affect the Japanese residents  
24 in the United States upon their welfare, and the  
25 Vice-Minister KIMURA also held the same opinion, that



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1 is, he objected to this decision.

2 A (Continuing) Consequently, decisions could  
3 not be taken at once and the execution of the flyers  
4 were indefinitely postponed, were delayed.

5 THE MONITOR: Not indefinitely. Because  
6 they could not reach a decision at that time and  
7 they had to extend this debate on the question, the  
8 execution was delayed.

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1 Q You have mentioned two decisions, one  
2 concerning the order of May 2nd and the other con-  
3 cerning the Doolittle Fliers. Did General KIMURA  
4 have any voice in either of these decisions?

5 A Yes, he did. He could object. For example,  
6 as when in the case of the execution of the Doolittle  
7 Fliers, the War Minister objected and the Vice-Minister  
8 was also to agree with his objections.

9 THE MONITOR: This proves that he could have  
10 objected to any decisions.

11 Q Does that prove, in your estimation, that his  
12 objection would not have been paid any attention to?

13 THE PRESIDENT: We do not want the witness'  
14 estimate of what amounts to proof. We want him to  
15 say what KIMURA said or did not say, what KIMURA  
16 did or did not do.

17 MR. HOWARD: Yes, sir.

18 Q Were there any matters entrusted to the  
19 Vice-Minister concerning prisoners of war?

20 A It was after the appointment of General  
21 TOJO as the Minister of War that more administrative  
22 work was assigned to the Vice-Minister, and, inasmuch as  
23 the Prisoner of War Information Bureau was an organ-  
24 ization outside the War Ministry, although under its  
25 wings, it can not --

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1 THE MONITOR: It was immediately after  
2 TOJO became the War Minister that the -- It was  
3 immediately after TOJO became the Prime Minister  
4 that the more administrative work was assigned to the  
5 Vice-Minister. However, the Prisoner of War Information  
6 Bureau was established in March of 1941 and at that  
7 time Prisoner of War Information was established  
8 as an outside bureau attached to the War Ministry.  
9 Therefore, it is obvious that the Vice-Minister  
10 had no assigned responsibility or duty concerning  
11 this bureau.

12 Q Did the Vice-Minister attend Imperial  
13 conferences and Liaison conferences?

14 A He did not have the authority to be present  
15 at those meetings.

16 Q Did the Vice-Minister have any authority  
17 to make decisions on important matters at the Imperial  
18 Headquarters?

19 A As the assistant to the -- As attendant to  
20 the War Minister the Vice-Minister had the authority  
21 to attend a meeting of the Imperial Headquarters.  
22 However, he had no authority whatever to take part  
23 in forming decisions.

24 THE MONITOR: In important decisions.

25 Q Did KIMURA have anything to do with the



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1 decision of using prisoners of war in the building  
2 of the Siam-Burma Railway?

3 A Inasmuch as the decision to use prisoners  
4 of war in the construction of the Siam-Burmese Rail-  
5 way was made by the General Staff, I think that it  
6 was highly improbable that the Vice-Minister -- that  
7 Vice-Minister KIMURA had any voice in this matter.  
8 However, as a matter of procedure in drawing up --  
9 However, it is probable that the procedure necessary  
10 for the project, namely, the construction of the  
11 Siam-Burmese Railway, was drawn up by the Vice-Minister.

12 THE MONITOR: Slight correction: Except  
13 that it is highly probable that the necessary technical  
14 procedures in assigning the prisoners of war to the --  
15 assigning, sending or dispatching, or recruiting, all  
16 these necessary small technical matters -- it is  
17 probable that these technical matters may have been  
18 done on the basis of instructions from the Vice-Minister  
19 of War as representing the Minister of War.

20 Q Did the Vice-Minister of War have the right  
21 to hire or discharge employees either in the Army or  
22 in the Ministry?

23 A The Vice-Minister of War did not have such  
24 authority.

25 Q Did the Vice-Minister have the authority



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1 to punish those in the army or ministry who did not  
2 obey instructions from the War Ministry?

3 A He did not have such an authority. Such  
4 authority was vested only in the Minister himself.

5 Q Who is directly responsible to the War  
6 Minister for the management of business in each of the  
7 bureaus and departments in the War Ministry?

8 A Various bureau chiefs.

9 Q At the time KIMURA became Vice-War Minister  
10 was the War Minister and the chiefs of the various  
11 bureaus, were they well informed in the matters  
12 pertaining to their offices?

13 MR. JUSTICE MANSFIELD: If the Tribunal please,  
14 I object to the question on the ground that it is  
15 indefinite.

16 THE PRESIDENT: It certainly goes beyond  
17 the question of the treatment of prisoners of war and  
18 the attitude of the Ministry in relation thereto.  
19 The objection is upheld.

20 Q Did KIMURA let each Bureau Chief handle  
21 the affairs of his bureau without interference on  
22 his part?

23 THE PRESIDENT: That question has the same  
24 vice as the previous question, but it is not objected  
25 to. It is not for this Court to take objections unless

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1 that becomes necessary in the discharge of the Tribunal's  
2 duty to give a speedy trial and a speedy trial, of  
3 course, is always subject to a just trial.

4 A It is as you say.

5 Q Did the Vice-Minister handle the external  
6 negotiations of the War Ministry such as dealings  
7 with the Cabinet, the General Staff and the Navy?

8 A External negotiations were to be handled  
9 by the War Minister and it was therefore not in the  
10 province of the Vice-Minister. I believe the external  
11 negotiations were to be handled by the military --  
12 Chief of the Military Affairs Bureau and it was there-  
13 fore not in the province of the Vice-Minister.

14 Q When KIMURA was Vice-Minister did he attend  
15 many ceremonial functions?

16 MR. JUSTICE MANSFIELD: I object on the  
17 ground that it does not arise out of examination in  
18 chief.

19 THE PRESIDENT: The objection is upheld  
20 on that ground and on the ground of irrelevancy.

21 Q Did KIMURA have any connection with the  
22 Emperor's Assistance Party, Central Party or Military  
23 Reform Party?

24 MR. JUSTICE MANSFIELD: I object to it on the  
25 ground that it does not arise out of the examination

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1 in chief.

2 A He did not.

3 THE PRESIDENT: Objection upheld.

4 MR. HOWARD: That concludes my cross-examin-  
5 ation, if your Honor please.

6 THE PRESIDENT: The witness' answer will be  
7 disregarded.

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MR. LEVIN: Mr. President.

THE PRESIDENT: Mr. Levin.

CROSS-EXAMINATION (Continued)

BY MR. LEVIN:

Q Will you please state whether or not, after the decision made in April, 1942, whether or not it would be a purely administrative matter for other departments of the government to carry out this policy?

A That is so.

Q Will you please state whether or not, except for the authority of this policy, any other department of the government could utilize the labor of prisoners of war?

A I do not believe that other ministries can utilize prisoners of war on their own will.

Q In other words, the authority for the use of the labor of prisoners of war would be the policy decided in April, 1942?

A I believe so.

MR. LEVIN: That is all, your Honor.

THE PRESIDENT: Counsel SHIMANOUCHI.

CROSS-EXAMINATION (Continued)

BY MR. SHIMANOUCHI:

MR. SHIMANOUCHI: Your Excellency TANAKA, I am SHIMANOUCHI, defense counsel.

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1 Q First of all I wish to ask a question on the  
2 labor given to the prisoners of war. You testified  
3 on Friday that at the conference of the various  
4 bureau chiefs held in April 1942 it was decided to  
5 use prisoners of war as laborers; and in Japan it was  
6 said at that time--

7 THE MONITOR: And you further testified that  
8 in Japan conditions were such that it was said that  
9 those who do not work should not eat.

10 Q (Continuing) At that time was the sale, free  
11 sale of food supply prohibited or allowed, of staple  
12 food?

13 A It was prohibited.

14 Q At that time what were the allotted rations  
15 for various individuals?

16 THE MONITOR: At that time what was the  
17 allotted ration for average males per day?

18 A If we are to take exception to the extra  
19 allotment given to laborers, the standard ration was  
20 2.3 go.

21 Q Does 2.3 go amount to 330 grams?

22 A That is so.

23 Q What were the conditions of rationing of staple  
24 food after that?

25 MR. JUSTICE MANSFIELD: If the Tribunal please,



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1 I object on the ground that it does not arise out  
2 of the examination in chief.

3 MR. SHIMANOUCI: Mr. President, I do not  
4 think that it is the usual practice to give more  
5 food to prisoners of war -- to give better treatment  
6 to prisoners of war than to the nationals of the  
7 country who were looking after the prisoners of war--  
8 holding the prisoners of war.

9 THE PRESIDENT: The question is the right  
10 to make prisoners of war work for the country that  
11 has possession of those prisoners of war. The question  
12 of the ration allowance of the Japanese is beside  
13 the point. The objection is allowed on the ground  
14 taken and on the ground of irrelevancy.

15 MR. SHIMANOUCI: Mr. President, I have no  
16 intention whatsoever of talking back to you; however,  
17 in deciding whether the treatment of prisoners of war--

18 THE MONITOR: Mr. President, I do not believe  
19 that we can decide whether the forced labor of prison-  
20 ers of war constitutes a crime or not until we make  
21 plain the food conditions and the labor situation of  
22 the country holding the prisoner at that time.

23 THE PRESIDENT: This witness is not here on  
24 the question of the amount of food available for  
25 prisoners of war. That is material, of course. You

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1 might show that the prisoners of war got no less  
2 food than the Japanese themselves but this witness  
3 is not brought here to testify about that.

4 MR. SHIMANOUCI: Excuse me, Mr. President,  
5 but this witness has said that the food conditions  
6 in Japan were such that it was said that no person,  
7 persons, who do not work should not eat and for this  
8 reason it was decided that labor -- prisoners of war --  
9 should be forced to work.

10 THE MONITOR: This witness has testified,  
11 Mr. President, that the reason the decision to use  
12 forced labor of PWs was reached was that the situation  
13 in Japan at that time -- that is, food situation  
14 and the labor situation at that time -- was that those  
15 who do not work should not eat. It was in that condi-  
16 tion.

17 THE PRESIDENT: The witness was brought to  
18 testify as to conversations in cabinet or among  
19 ministers. He did so. He is not brought here to  
20 say what was the food position in Japan nor did he  
21 attempt to say so in examination in chief. The  
22 Tribunal's decision must be observed without further  
23 discussion.

24 MR. SHIMANOUCI: I understand, Mr. President.  
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1 BY MR. SHIMANOUCI (Continued):

2 Q Then, Mr. Witness, when the decision was  
3 taken in April, 1942 to make prisoners of war work,  
4 were the people of Japan also put to labor then?  
5 Were they also forced to work?

6 A It was not at the conference of the  
7 Bureau Chiefs; it was issued in a memorandum.  
8 Those laborers who were not employed in important  
9 industries were compulsorily allotted to work which  
10 was deemed important then. That was called "draft  
11 labor."

12 THE PRESIDENT: We have a duty, as I said  
13 before, to shorten this trial, provided we insure  
14 a just trial. Our duty extends to forbidding  
15 irrelevant cross-examination. This cross-examina-  
16 tion is irrelevant. The conditions of work imposed  
17 upon the people of Japan is irrelevant to the ques-  
18 tion of the treatment of prisoners of war.

19 MR. SHIMANOUCI: Mr. President, is it  
20 not possible to carry on my cross-examination from  
21 the standpoint that prisoners of war cannot expect  
22 better treatment than the nationals of the country  
23 holding the prisoners of war?

24 THE PRESIDENT: I am not keeping you at  
25 the lectern. If you would like to leave it, do so.

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1 MR. SHIMANOUCHI: Then I wish you would  
2 permit me to ask questions on some other matters.

3 THE PRESIDENT: Proceed.

4 MR. SHIMANOUCHI: Thank you.

5 BY MR. SHIMANOUCHI (Continued):

6 Q Concerning the conference of the bureau  
7 heads, you testified that officers among the prisoners  
8 of war were also put to work. Now, does this mean  
9 that they were put to work for punishment, or was  
10 this policy to encourage these officers to work also?

11 A I testified in this sense: It was not in  
12 the nature of punishment that they would be put to  
13 forceful labor. They would be forced to work in the  
14 framework of the regulations drawn up by the govern-  
15 ment.

16 THE MONITOR: Slight correction: I did not  
17 mean that they would be forced to work as a punitive  
18 measure. I meant that the law or regulations or some  
19 sort of rule would be established, and upon that rule  
20 all prisoner of war officers would be put to work.  
21 That's what I meant.

22 A (Continuing) In short, they were put to  
23 work by order.

24 Q Then, those who did not want to work -- what  
25 would happen to them?



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1       A   They would be put to work by order.

2       Q   What would happen, then, to those who would  
3 refuse to work?

4       A   Unless they obeyed, it would then be in  
5 contravention of rules and regulations, and they  
6 would be punished therefor.

7       Q   You testified that either on the 2nd of May  
8 or June, 1942 a formal document was drawn up concern-  
9 ing the forceful labor of prisoners of war. Then,  
10 on June 3, 1942, do you remember that an order came  
11 out to the effect that officers among prisoners of  
12 war were also to be put to work? And this came from  
13 the POW Administration Bureau.

14       A   To the best of my recollection it was on  
15 May 2 the basic principle was decided upon.

16       THE MONITOR: Slight question of emphasis:  
17 On May 2, merely the basic principle was decided upon.

18       A   (Continuing) On June 3 that you mention, I  
19 recall that detailed regulations were drawn up based  
20 on the basic principles.

21       MR. SHIMANOUCI: Mr. President, may I be  
22 permitted to ask the witness concerning the contents  
23 of prosecution document No. 1547B? In this document  
24 there are these regulations concerning the forceful  
25 labor of prisoners which the witness has mentioned.

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1           It is in this document that there is  
2 reference to this order or memorandum which came  
3 out on June 3, 1942.

4           MR. JUSTICE MANSFIELD: That document will  
5 be produced by the prosecution shortly if the defense  
6 desires to cross-examine on it with the leave of the  
7 Court. The prosecution raises no objection.

8           THE PRESIDENT: We will recess now for  
9 fifteen minutes.

10           (Whereupon, at 1045, a recess was  
11 taken until 1100, after which the proceed-  
12 ings were resumed as follows:)  
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1 MARSHAL OF THE COURT: The Tribunal is now  
2 resumed.

3 BY MR. SHIMANOUCI (Continued):

4 Q In the memorandum mentioned some time ago  
5 it says that the officers and prisoners-of-war of  
6 ordinary rank were put to work on their own vol-  
7 untary initiative and they were to be given work  
8 which would suit their status and their physical  
9 condition and abilities, and it was the policy of  
10 the central government --

11 THE MONITOR: A slight correction: In the  
12 memorandum mentioned there before the recess it is  
13 stated in there that the central authority's policy  
14 was to use the PW officers as laborers on the fol-  
15 lowing basis:

16 A (Continuing) Their rank, their physical  
17 status, that is, their health conditons, and their  
18 particular occupational abilities, and this was to  
19 be done on the voluntary basis.

20 Q In this memorandum it is stated that  
21 officers among prisoners-of-war were put to work  
22 with due consideration to their scholastic training,  
23 their technical ability, their knowledge of history  
24 and agriculture.

25 Does this refresh your memory in any way?

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1 THE MONITOR: Slight correction on the  
2 first. Not that they "were put to work," but: In  
3 this memorandum it states that suitable work for  
4 the PW officers were in the following categories:  
5 First, depending on their scholastic background,  
6 or education, their technical abilities, recording  
7 of war history or battle histories, and then agri-  
8 culture.

9 Now does this refresh your memory?

10 A I do remember that it was stipulated that  
11 prisoners-of-war were to be put to work in accord-  
12 ance with their individual -- put either to brain  
13 work or physical work or manual labor.

14 Apart from this memorandum are there any  
15 other memoranda dealing with use of officers among  
16 prisoners-of-war for labor?

17 A I remember that, other than that note, I do  
18 remember that either by the end of June or in the  
19 beginning of July the commandants of the prisoners-  
20 of-war camps were assembled and were told, given  
21 further details about the program. The basic prin-  
22 ciples of the treatment of prisoners-of-war arising  
23 from the Pacific war was decided at the two confer-  
24 ences, if I remember correctly.

25 THE MONITOR: Were, I believe, decided on



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1 these two conferences.

2 A (Continuing) This conference was convened  
3 by order of the War Minister.

4 Q Mr. Witness, you testified that concerning  
5 the complaints, protests made by foreign countries  
6 concerning treatment of the prisoners-of-war -- you  
7 said that the Foreign Office merely acted as a  
8 post office. Why was the Foreign Office a post  
9 office?

10 A There are two reasons to it. The first is  
11 that the Prisoners-of-War Information Bureau and  
12 the Prisoners-of-War Administration Bureau were  
13 both under the jurisdiction of the War Minister,  
14 as far as Japan was concerned.

15 THE MONITOR: At least in Japan.

16 A (Continuing) Because of the fact that  
17 there was no organization nor authority for in-  
18 vestigating, conducting investigations concerning  
19 programs -- about programs concerning prisoners-  
20 of-war, the Foreign Office -- the only thing the  
21 Foreign Office could do was just to relay the de-  
22 cisions reached at the War Ministry by the army.

23 THE MONITOR: Slight correction: When  
24 other countries made protests to Japan at that  
25 time there were no investigating agency nor

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1 authority to investigate on the part of anyone,  
2 therefore Foreign Office merely acted as a post  
3 office, transmitting the message or reply made by  
4 the army.

5 MR. SHIMANOUCI: Mr. President, may I  
6 ask a few questions concerning the disposal of  
7 pilots, fliers?

8 THE PRESIDENT: Yes.

9 A The fliers who bombed Tokyo on April 18,  
10 1942, what did they attack?

11 A The bombed Tokyo and Nagoya. Bombs used in  
12 those raids were 25 kilogram incendiary bombs, and  
13 there were also three or four destructive or demoli-  
14 tion bombs. One of the planes machine gunned  
15 primary school children gathered in the compound of  
16 the Shinegawa primary school in Tokyo. One of the  
17 children was killed, but I believe it was due to a  
18 mistake, that is, the plane took that child for a  
19 soldier or something.

20 Q What was this pupil in the primary school  
21 doing then?

22 A They were being conducted to an air raid  
23 shelter under the leadership of a teacher.

24 MR. JUSTICE MANSFIELD: I submit, if the  
25 Court please, that this line of cross-examination



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1 is outside the scope of the examination in chief  
2 and is irrelevant.

3 THE PRESIDENT: It is both, and the ques-  
4 tion is disallowed.

5 MR. SHIMANOUCI: This is all, Mr. President.

6 MR. LOGAN: No further cross-examination,  
7 your Honor.

8 THE PRESIDENT: Mr. Comyns Carr.

9 MR. COMYNS CARR: If it please your Honor:  
10 We have certain further questions to put to this  
11 witness, unconnected with this phase. We had intend-  
12 ed to ask the leave of the Court to put them now.

13 THE PRESIDENT: Do they bear on an earlier  
14 phase?

15 MR. COMYNS CARR: They bear on the position  
16 of two individual accused.

17 THE PRESIDENT: That would come later, I  
18 take it, Mr. Carr.

19 MR. COMYNS CARR: Yes, your Honor, and as  
20 one of them is the accused MUTO, who, I understand,  
21 is away ill today and his counsel with him, I shall  
22 ask leave to put those questions later on.

23 THE PRESIDENT: Yes.

24 Colonel Woolworth.

25 MR. WOOLWORTH: If the Tribunal please, I

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1 desire to introduce in evidence document No.

2 1547-A. This is an excerpt from --

3 THE PRESIDENT: You have the witness still  
4 in the box, Colonel Woolworth. What are we to do  
5 with him.

6 MR. WOOLWORTH: No redirect examination,  
7 if your Honor please.

8 THE PRESIDENT: You will be recalled later,  
9 witness. For the time being you are at liberty on  
10 the usual terms.

11 (Whereupon, the witness  
12 was excused.)

13 MR. LEVIN: Mr. President.

14 THE PRESIDENT: Mr. Levin.

15 MR. WOOLWORTH: This is an excerpt from  
16 the part concerning the treatment of prisoners-of-  
17 war, in War Minister TOJO's instructions delivered  
18 to the commander of the Zentsuji Division, on his  
19 visit of inspection thereto on May 30, 1942.

20 THE PRESIDENT: Admitted on the usual  
21 terms.

22 CLERK OF THE COURT: Prosecution's docu-  
23 ment No. 1547-A will receive exhibit No. 1960.

24 (Whereupon, the document above  
25 referred to was marked prosecution's



1 exhibit No. 1960, and received in  
2 evidence.)

3 CLERK OF THE COURT: And for the purpose  
4 of the record, that the exhibit chronology may be  
5 kept in sequence, the papers relative to the death  
6 of the accused MAGANO, introduced yesterday, were  
7 given exhibit No. 1959.  
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1 MR. WOOLWORTH: The following is an excerpt  
2 from the part concerning the treatment of prisoners-  
3 of-war in War Minister TOJO's instructions delivered  
4 to the commander of the Zentsuji Division, on his  
5 visit of inspection thereto on May 30, 1942:

6 "To this Division is attached a prisoner of  
7 war camp. Prisoners of war must be placed under  
8 strict discipline as far as it does not contravene  
9 the law of humanity. It is necessary to take care  
10 not to be obsessed with a mistaken idea of humani-  
11 tarianism or swayed by personal feelings towards  
12 these prisoners-of-war which may grow in the long time  
13 of their imprisonment. The present situation of  
14 affairs in this country does not permit anyone to lie  
15 idle doing nothing but eating freely. With that in  
16 view, in dealing with the prisoners-of-war, too, I  
17 hope you will see that they may be usefully employed."

18 I'd like to introduce document No. 1547-B,  
19 it being notification from the director of the Prisoner-  
20 of-War Custody Division of the Ministry of War to army  
21 units concerned.

22 THE PRESIDENT: Admitted on the usual terms.

23 CLERK OF THE COURT: Prosecution's document  
24 No. 1547-B will receive exhibit No. 1961.

25 (Whereupon, the document above



1 referred to was marked prosecution's exhibit  
2 No. 1961 and received in evidence.)

3 MR. WOOLWORTH: (Reading) "Notification  
4 from the Director of the Prisoner of War Custody  
5 Division of the Ministry of War, to Army Units Concerned.

6 "Subject: Labor Imposed upon Prisoner-of-War  
7 Officers and Non-Commissioned Officers (POW No. 4-2,  
8 June 3, 1942).

9 "Although the imposition of labor upon  
10 prisoner of war officers and non-commissioned officers  
11 is prohibited under Article 1 of the Prisoner-of-War  
12 Labor Regulations (Army Note No. 139, September 10,  
13 1904), it is the policy of the Central Authorities,  
14 in view of the present condition of this country which  
15 does not allow anyone to lie idle and eat freely,  
16 and also with a view to maintaining the health of  
17 prisoners of war, to make such officers and non-  
18 commissioned officers volunteer to work in accordance  
19 with their respective status, intelligence, physical  
20 strength, etc. You are, therefore, desired to take  
21 proper steps accordingly. The following, it may be  
22 added, will be presumably fit lines of labor for such  
23 purposes:

24 "1. Various kinds of work in which one's  
25 technical skill, learning, etc, may be employed to

1 advantage.

2 "2. Agricultural work.

3 "3. The raising of domestic animals and  
4 fowls.

5 "4. The directing of prisoners-of-war in  
6 general labor.

7 "5. Assistance in the collection and compi-  
8 lation of war history materials.

9 "6. Publicity affairs.

10 "7. Miscellaneous, considered fit for the  
11 above-mentioned purposes."

12 This bears the certificate of authenticity,  
13 signed and witnessed.

14 I desire to introduce prosecution document  
15 No. 1630-B, being the War Minister's address delivered  
16 to the newly-appointed chiefs of prisoner-of-war camps,  
17 at the Ministry of War on June 25, 1942.

18 THE PRESIDENT: Admitted on the usual terms.

19 CLERK OF THE COURT: Prosecution's document  
20 No. 1630-B will receive exhibit No. 1962.

21 (Whereupon, the document above  
22 referred to was marked prosecution's exhibit  
23 No. 1962 and received in evidence.)

24 MR. WOOLWORTH: (Reading) "War Minister's  
25 Address Delivered to the Newly-Appointed Chiefs of



1 Prisoner of War Camps, at the Ministry of War, on  
2 June 25, 1942.

3 "It gives me great pleasure that you have  
4 been appointed Chiefs of Prisoner-of-War Camps and are  
5 starting for your respective posts soon.

6 "In Japan, we have our own ideology concerning  
7 prisoners-of-war, which should naturally make their  
8 treatment more or less different from that in Europe  
9 and America. In dealing with them, you should, of  
10 course, observe the various regulations concerned,  
11 aim at an adequate application of them, and evince the  
12 fair and just attitude of the Empire vividly for abroad  
13 as well as at home. At the same time, however, you  
14 must place the prisoners under strict discipline and  
15 not allow them to lie idle doing nothing but eating  
16 freely for even a single day. Their labor and tech-  
17 nical skill should be fully utilized for the replenish-  
18 ment of production, and contribution rendered toward  
19 the prosecution of the Greater East Asiatic War, for  
20 which no effort ought to be spared.

21 "You are specially desired to take into con-  
22 sideration the characteristic nature of your places of  
23 appointment and make the local populace realize the  
24 superior traits of the Japanese nation through the  
25 correct treatment of prisoners-of-war, impressing

1 upon their minds the unique privilege and honor of  
2 having been born as Japanese subjects under His  
3 Majesty's gracious reign.

4 "Keeping these things in view, you will  
5 always be awake to the gravity of your responsibility,  
6 tighten your control of subordinates, and make every  
7 effort to fill your duty to perfection.

8 "Hideki TOJO, Minister of War.

9 "June 25, 1942 (Showa 17)."

10 It bears the certificate of authenticity,  
11 duly signed and witnessed.

12 I desire to introduce document No. 1630-A,  
13 instructions of War Minister Hideki TOJO to the newly-  
14 appointed commanders of the prisoner-of-war camps,  
15 dated July 7, 1942.

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution's document  
18 No. 1630-A will receive exhibit No. 1963.

19 (Whereupon, the document above  
20 referred to was marked prosecution's exhibit  
21 No. 1963 and received in evidence.)

22 MR. WOOLWORTH: (Reading) "Instructions of  
23 War Minister Hideki TOJO to the Newly-Appointed Com-  
24 manders of the Prisoner-of-War Camps.

25 "It is very pleasing to me to hear that you



1 who have been newly appointed as commanders of  
2 prisoner-of-war camps are going to leave for your  
3 respective new posts very soon.

4 "Our country has a different conception of  
5 prisoners-of-war and consequently has different  
6 methods of treatment compared with those of American  
7 and European nations.

8 "So, in treating the prisoners-of-war at  
9 home and abroad, you must abide by the laws and  
10 regulations and apply them fairly and properly so  
11 that it will enhance and exhibit the prestige of our  
12 Empire. But on the other hand, you must supervise them  
13 rigidly in so far as you do not become inhuman, and  
14 not let them remain idle even for a single day, so as  
15 to utilize most effectively their manpower and tech-  
16 nical ability for the expansion of our industries and  
17 to contribute to the execution of the great Eastern  
18 Asia War.

19 "Moreover, considering the characteristics of  
20 the various localities, you must make the local people  
21 recognize the superiority of the Japanese people  
22 through the treatment of prisoners-of-war as well as  
23 make the local people conceive it as the greatest  
24 honor that they are able to collaborate with the  
25 Imperial Army in establishing the Greater East Asia

1 Co-Prosperity Sphere.

2 "Considering the importance of the afore-  
3 mentioned points and your great responsibility, you  
4 must lead your subordinates strictly and properly  
5 and execute your duty to the utmost.

6 "Hideki TOJO, Minister of War. July 7, 1942."

7 THE PRESIDENT: Not much difference between  
8 the two speeches. I notice the date is different.

9 MR. WOOLWORTH: If the Court please, it will  
10 appear by the next document that these addresses  
11 were given, in the first place, to the prisoner-of-war  
12 camp commanders from Korea, Manchukuo, Formosa, and  
13 Japan proper, while the second speech was delivered  
14 to the newly-appointed chiefs of prisoner-of-war camps  
15 from the Philippines and Southeastern Asia.

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1 MR. WOOLWORTH: I desire to have marked for  
2 identification document No. 1630-C. I desire to  
3 introduce in evidence the marked excerpts therefrom.

4 THE PRESIDENT: Admitted on the usual terms.

5 CLERK OF THE COURT: Prosecution's document  
6 No. 1630-C will receive exhibit No. 1964 for identi-  
7 fication only; and the marked excerpts therefrom will  
8 receive exhibit No. 1964-A.

9 (Whereupon, the document above re-  
10 ferred to was marked prosecution's exhibit  
11 No. 1964 for identification and the excerpts  
12 therefrom were marked prosecution's exhibit  
13 No. 1964-A and received in evidence.)

14 MR. WOOLWORTH (Reading):

15 "C E R T I F I C A T E

16 "5 September 1946

17 "I hereby certify the attached copies are  
18 the true extracted copies of official documents in  
19 the files of this Bureau."

20 Signed "S. NAKANISHI, Acting Director,  
21 POW Information Bureau."

22 "No. 1, EXTRACT FROM MONTHLY REPORT NO. 5  
23 ON PRISONERS OF WAR, POW INFORMATION BUREAU. (Vol. UA-1)  
24

25 "1. General Affairs.

"(3) On 25th and 26th June, necessary

1 directives regarding POW matters (on the basis of the  
2 documents distributed at the meeting of the Chiefs of  
3 POW Camps held on 25 and 26 June) were given to the  
4 Chiefs and staff personnel (appointee Chiefs of the  
5 Branch Camps) of Korea and Taiwan POW Camps, at the  
6 POW Information Bureau.

7 "EXTRACT FROM MONTHLY REPORT FOR JULY ON  
8 PRISONERS OF WAR, POW INFORMATION BUREAU (Vol. UA-1)

9 "1. Group Instruction regarding the treatment  
10 of Prisoners of War.

11 "(1) On 7th and 8th July, at the POW Infor-  
12 mation Bureau, Group Instruction regarding the treat-  
13 ment of prisoners of war was given to the chiefs and  
14 some of the staff personnel of the Thailand, Malaya,  
15 Philippine Islands, Java and Borneo POW Camps to be  
16 established in the near future.

17 "Ranks and names of the attendants, the  
18 curriculum schedule, the address of instruction of  
19 the War Minister and list of the documents distributed  
20 are shown in attached appendices No. 1 - 4.

21 "Appendix II.

22 "Curriculum Schedule.

23 Date	Items to be Explained	Explainer
24 "July 7	War Minister's Address of	Read by the Chief
25 Instruction		of Prisoner of War



1	Date	Items to be Explained	Explainer
2			Administration
3			Section.
4		"Speech and explanation of Prisoners of War disposition by the Chief of the Prisoner of War Information Bureau and concurrently the Chief of the Prisoner of War Administration Section.	
5			
6			
7			
8			
9		"General situation regarding prisoners of war; various international regulations regarding prisoners of war; business regulations of the Prisoner of War Information Bureau; Prisoner of War Administration Section and Prisoner of War camp.	Colonel YAMAZAKI
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18		"Prisoner of War labor	Lt. Colonel YASUDA
19		"Prisoner of War punishment	
20			
21		"Information regarding prisoners of war	Major YAMAUCHI
22			
23		"Various notices regarding prisoners of war	
24			
25		"Prisoner of war identification cards	

1	<u>"Date</u>	<u>Items to be Explained</u>	<u>Explainer</u>
2		"Prisoner of war sanitation	
3	"July 8	Prisoner of War allowance	1st Lt. YOTSUMOTO
4		"Prisoner of War relief	
5		"Prisoner of war abandoned and	
6		confiscated personal property	
7		"Military internees	
8			
9		"Prisoner of war correspondence	1st Lt. SAITO
10		"Information regarding enemy war	
11		dead	
12			
13		"Round Table Conference.	
14			
15		"Appendix III	
16		"War Minister's address of instruction given	
17		to the newly appointed chiefs of prisoner of war camps,	
18		at the War Ministry on July 7, 1942.	
19		"(This speech is known as Document No. 1630-A)"	
20		which has received exhibit No. 1963.	
21		"Appendix IV	
22		<u>"List of Distributed Documents</u>	
23		"1. Curriculum schedule for the conference of	
24		the newly appointed chiefs of prisoner of war camps.	
25		"2. War Minister's address of instruction.	
		"3. Gist of the Chief's speech.	



- 1 "4. Various regulations regarding the treat-  
2 ment of prisoners of war and some documents for reference.
- 3 "5. Explanation of the principle of the dis-  
4 position of prisoners of war.
- 5 "6. Matters to be explained in connection  
6 with affairs concerning prisoners of war.
- 7 "7. Matters regarding prisoners of war labor.
- 8 "8. Matters regarding prisoners of war  
9 punishment.
- 10 "9. Matters concerning the labor of prisoner  
11 of war officers and warrant officers.
- 12 "10. Essentials regarding the transportation  
13 to Japan proper of prisoners of war who have excellent  
14 technical knowledge.
- 15 "11. Regarding information.
- 16 "12. Regarding notices concerning prisoners  
17 of war.
- 18 "13. Regarding prisoners of war identification  
19 cards.
- 20 "14. Regarding prisoners of war sanitation.
- 21 "15. Matters pertaining to prisoners of war  
22 allowance.
- 23 "16. Answers to questions regarding prisoners  
24 of war allowance and extracted documents for reference.
- 25 "17. Matters regarding prisoners of war

1 relief.

2 "18. Matters regarding prisoners of war con-  
3 fiscated articles, personal belongings, abandoned  
4 property, and wills.

5 "19. Matters regarding military internees.

6 "20. Matters for reference in connection  
7 with the treatment of internees in the occupied area.

8 "21. Questions and answers regarding the  
9 matters for reference pertaining to the affairs of  
10 prisoners of war.

11 "22. Outline of the International Red Cross  
12 Commission and Japan Red Cross Prisoner of War Relief  
13 Committee.

14 "23. Matters regarding prisoners of war  
15 communication.

16 "24. Matters regarding the enemy war dead.

17 "25. Chart showing the division of business  
18 in the Prisoner of War Information Bureau and the  
19 Prisoner of War Administrative Section.

20 "Documents for reference:

21 "Prisoner of War Information No. 1 - No. 5.

22 "Example of Regulations for controlling  
23 prisoners of war at POW camps.

24 "Example of the standing orders of prisoner  
25 of war camps.



1 "Example of the service stipulation of  
2 prisoner of war camps.

3 "Example of regulations covering prisoners  
4 of war daily routine.

5 "Example of the C.Q. stipulations of  
6 prisoners of war camps.

7 "Example of the regulations regarding the  
8 guard at prisoner of war camps."

9 MR. LOGAN: If the Tribunal please, may I  
10 ask if the prosecution has any of these documents and,  
11 if so, that they produce them.

12 THE PRESIDENT: The certificate says:

13 "The 25 documents listed in Appendix IV and  
14 reference documents referred to were burned."

15 Did you notice that, Mr. Logan?

16 MR. LOGAN: I did not notice it, your Honor,  
17 but although they may be burned, they may have secured  
18 copies elsewhere. We don't know.

19 THE PRESIDENT: You can answer that, Colonel.  
20 I cannot.

21 MR. WOOLWORTH: If the Tribunal please, a  
22 request -- a demand was made on the First Demobili-  
23 zation District and a search has been made by our  
24 Investigative Section and numerous witnesses have been  
25 interrogated in an effort to obtain these twenty-five

1 documents, but without avail to date.

2 I desire to have marked for identification  
3 the Japanese text of "The Laws, Rules, and Regulations  
4 Pertaining to Prisoners of War," excerpts from which  
5 are contained in IPS document 1303. I desire to  
6 request that the original Japanese text be withdrawn  
7 and a copy of the excerpts therefrom placed in its  
8 place instead in the files of the Tribunal as this  
9 document must be returned to ATIS.

10 THE PRESIDENT: Mr. Levin.

11 MR. LEVIN: Mr. President, we have no  
12 objection to the withdrawal of the original rules  
13 and regulations, but we do believe that a copy of  
14 all the rules and regulations should be made part of  
15 this record. As I understand it, the exhibit is  
16 offered for identification and the excerpts offered  
17 in evidence. Under those circumstances, it would seem  
18 essential that the original be part of the Tribunal's  
19 record so that in the event subsequently we may want  
20 to offer some -- we may desire to offer some evidence  
21 from that exhibit, the exhibit will be available.

22 THE PRESIDENT: Colonel Woolworth, what have  
23 you to say?

24 MR. WOOLWORTH: There is no objection on  
25 the part of the prosecution except the mechanical



1 difficulties in the way of reproducing the whole of  
2 the document. I believe, as a matter of fact, that  
3 practically the whole of the document was reproduced  
4 in Japanese, but there are some things left out.  
5 The excerpts from that document were selected by  
6 ATIS, and we have never had the whole of the docu-  
7 ment translated.

8 THE PRESIDENT: The defendants will be  
9 able to tender the balance if they so advise. The  
10 excerpt is admitted on the usual terms.

11 MR. WOOLWORTH: I desire to introduce in  
12 evidence the marked excerpts from prosecution's  
13 document 1303.

14 CLERK OF THE COURT: Prosecution's document  
15 1303 will be given exhibit No. 1965 for identifi-  
16 cation only, and the marked excerpts therefrom will  
17 receive exhibit No. 1965-A.

18 (Whereupon, the document above re-  
19 ferred to was marked prosecution's exhibit  
20 No. 1965 for identification, and the excerpts  
21 therefrom were marked prosecution's exhibit  
22 No. 1965-A, and received in evidence.)

23 THE PRESIDENT: And you have the necessary  
24 leave to withdraw and substitute.

25 MR. WOOLWORTH: I read from the marked portions  
on Page 1:

"ORGANIZATION OF THE PRISONER OF WAR

"INFORMATION BUREAU

"(Imperial Ordinance No. 1246, 27 December 1941)

"Article 1

"The Prisoner of War Information Bureau shall be under the control of the Minister of War and shall manage the matters mentioned below:

"1. The investigation of internments, removals, releases on parole, exchanges, escapes, admissions into hospitals, deaths of prisoners of war, and the maintenance of records for each prisoner.

"2. The communications, correspondence, and information regarding the conditions of the prisoners of war.

"3. The custody and the transmission to families and other persons interested, of objects, articles and wills of the prisoners of war who are released on parole, exchanged, or those who died at hospitals, medical dressing stations, or prisoner of war camps.

"4. The forwarding of gifts to prisoners of war, and of money, objects, and articles sent by or to the prisoners of war.

"5. Information obtained by the Army or the Navy from those killed or slain in battle, the handling of their objects and wills, and of objects found



1 in the field of battle.

2 "6. Investigations concerning persons who are  
3 prisoners of war in enemy countries and the facili-  
4 tation of communication between those prisoners of  
5 war and their families residing in the Empire and  
6 any other persons interested.

7 "Article 2

8 "The Prisoner of War Information Bureau shall  
9 be situated in Tokyo.

11 "Article 3

12 "There shall be one director and four secre-  
13 taries in the Prisoner of War Information Bureau.  
14 However, the number of secretaries may be increased  
15 if necessary.

16 "The director shall be appointed from general  
17 grade officers and the secretaries shall be appointed  
18 from field grade officers, company grade officers,  
19 or corresponding naval officers, or high civil offic-  
20 als.

21 "In addition to the secretaries mentioned in  
22 the first paragraph, other secretaries shall be ap-  
23 pointed from officials in the ministries concerned  
24 upon the recommendation of the Minister of War.  
25

1 "In the Prisoner of War Information Bureau,  
2 there shall be a number of clerks, who shall be of  
3 Junior or minor rank.  
4

5 "Article 4

6 "The director administers the affairs of the  
7 Bureau under the direction and supervision of the  
8 Minister of War.  
9

10 "Article 5

11 "In regard to matters falling within his juris-  
12 diction, the director may demand information from  
13 any military or naval unit concerned.  
14

15 "Article 6

16 "The secretaries shall manage all affairs  
17 assigned to them under the supervision of the direc-  
18 tor.  
19

20 "Article 7

21 "The clerks shall perform their duties under  
22 the supervision of their superior officers.  
23

24 "Additional Provision

25 "This Ordinance shall become effective from the



1 day of its promulgation.

2 "REGULATIONS FOR THE TREATMENT OF PRISONERS  
3 OF WAR, WAR MINISTRY NOTIFICATION ASIA,  
4 CONFIDENTIAL NO. 1034, 31 March 1942)

5 "Article 1

6 "All affairs in the Ministry of War relative  
7 to the treatment of prisoners of war shall be handled  
8 according to these regulations.  
9

10 "Article 2

11 "The Prisoner of War Administration Division  
12 shall be established in the Ministry of War for the  
13 conduct of all affairs relative to the treatment of  
14 prisoners of war, and of civilian internees in the  
15 theatre of war.  
16

17 "In the Prisoner of War Administration Division,  
18 there shall be the division head, staff members, non-  
19 commissioned officers, and civil officials of Junior  
20 or minor rank.  
21

22 "Article 3

23 "The division head, the staff members, non-  
24 commissioned officers, and civil officials of Junior  
25 or minor rank shall be selected from persons who

1 simultaneously hold other official positions. The  
 2 number of personnel shall be as prescribed below.  
 3

4 "Article 4

5 "The division head shall administer the affairs  
 6 of the division under the orders of the Minister of  
 7 War and the staff members shall carry out their  
 8 duties under the orders of the division head.  
 9

10 "Article 5

11 "The non-commissioned officers and the civil  
 12 officials of Junior or minor rank shall perform  
 13 their duties under the orders of their superior  
 14 officers.  
 15

16 "Schedule

17  
 18 "A list of the prescribed number of personnel  
 19 of the Prisoner of War Administration Division:  
 20

21 "The Division Head	Lieutenant general (or Major General)	1
22 "The Staff Members	Field grade officers or Company grade officers	5
23		
24 "The Non-commissioned officers and 25 Civil Officials of Junior or minor rank		5



1 "Remarks.

2 "1. In addition to the number of the personnel  
3 prescribed in the Schedule, a number of field grade  
4 officers and company grade officers, who already hold  
5 an official position, may be appointed to hold posi-  
6 tions as staff members.

7 "2. The non-commissioned officers and civil  
8 officials of Junior or minor rank may be substituted  
9 for junior clerks.

10 "ORDINANCE ON PRISONER OF WAR CAMPS

11 "(Imperial Ordinance No. 1182, 23 December 1941)

12 "Article 1

13  
14 "A prisoner of war camp is any place for the  
15 internment of prisoners of war under the jurisdic-  
16 tion of the Ministry of War.

17 "Article 2

18 "Prisoner of war camps shall be established  
19 whenever they are necessary. Their location, open-  
20 ing, and closing shall be determined by the Minister  
21 of War.  
22

23 "Article 3

24 "Prisoner of war camps shall be administered  
25 by a commander of an army or a commander of a garri-

1 son under the general supervision of the Minister  
2 of War.

3 "Article 4

4 "In the prisoner of war camps shall be the  
5 following officers:

6 "The commandant

7 "The staff members

8 "The non-commissioned officers and civil officials  
9 of junior or minor rank.

10 "Article 5

11 "The commandant shall be responsible to a  
12 commander of an army or to a commander of a garri-  
13 son and he shall manage all the affairs of the Camp.

14 "Article 6

15 "The staff members shall manage the affairs  
16 assigned to them by the commandant.

17 "Article 7

18 "The non-commissioned officers and civil offic-  
19 als of junior or minor rank shall perform their  
20 duties under the order of their superior officers.

21  
22  
23  
24  
25



"Article 8

"A commander of an army or an commander of a garrison may, whenever necessary, delegate his subordinates to assist in the management of a prisoner of war camp.

"Persons delegated according to the provisions of the preceding paragraph shall be under the supervision and command of the commandant.

"Additional Provisions

"This ordinance shall become effective from the day of its promulgation.

"REGULATION FOR THE TREATMENT OF PRISONERS OF WAR  
(War Ministry Notification No. 22, 14 December 1904, as amended by the War Minister Notification No. 167, 1904, No. 7. 1905, No. 31, 1914 War Ministry Notification, Nos. 30 and 57, 1943)

"Chapter I General Provisions

"Article 1

"A prisoner of war, as defined in these regulations, is any enemy combatant who has fallen into the power of the Empire or any other person who is to be accorded the treatment of a prisoner of war by virtue of international treaties and customs.

1 "Article 2

2  
3 "A prisoner of war shall be humanely treated  
4 and in no case shall any insult or maltreatment be  
5 inflicted upon him.

6 "Article 3

7  
8 "A prisoner of war shall be given appropriate  
9 treatment, according to his status or rank. However,  
10 this shall not apply to any persons who do not answer  
11 truthfully to interrogations regarding his name and  
12 rank or to any person who is guilty of other offences.

13 "Article 4

14  
15 "A prisoner of war shall be controlled according  
16 to the regulations of the Imperial Army and he shall  
17 not otherwise be arbitrarily restrained.

18 "Article 5

19  
20 "A prisoner of war shall enjoy freedom of relig-  
21 ion and may participate in the religious ceremonies  
22 of his own denomination, in so far as military discip-  
23 line and public morals are not prejudiced thereby.  
24  
25



1 "Article 6

2  
3 "In case a prisoner of war is guilty of an  
4 act of insubordination, he shall be subject to  
5 imprisonment or arrest; and any other measures deemed  
6 necessary for the purposes of discipline may be  
7 added.

8 "Troops may be used to halt an attempt at es-  
9 cape by prisoners of war and in case of necessity,  
10 may inflict injury or death upon them.

11 "Article 7

12  
13 "A prisoner of war, not on parole, who is cap-  
14 tured before he succeeds in escaping shall be subject  
15 to disciplinary punishment.

16 "Said prisoner of war who initially succeeds  
17 in escaping and is again captured shall not be liable  
18 to any punishment for his previous escape.

19 "Article 8

20  
21 "In addition to the disciplinary methods pre-  
22 scribed in the preceding Article the criminal offences  
23 of prisoners of war shall be tried by army court  
24 martial according to the Army Disciplinary Punish-  
25 ment Ordinance.

1 "Chapter II

2 "Capture and Evacuation of Prisoners of War

3 "Article 9

4  
5 "Whenever persons who are to be prisoners of  
6 war are taken into custody, an immediate inspection  
7 shall be made of their personal belongings. Arms,  
8 ammunition, and other objects of military use shall  
9 be confiscated. All other articles shall be either  
10 left in the possession of the prisoners or received  
11 for deposit.

12 "Article 10

13  
14 "Commissioned officers among the prisoners of  
15 war mentioned in the preceding Article upon whom  
16 it is deemed necessary to confer special honor may  
17 be authorized by the commander of an army or of an  
18 independent division to retain swords belonging to  
19 them in their possession.

20 "In the case specified in the preceding para-  
21 graph the names of the officers together with the  
22 reasons for the action shall be reported to the Im-  
23 perial Headquarters and the latter shall in turn  
24 notify the Minister of War of the matter. The  
25 swords retained by them shall be received for deposit,



1 when they are taken in a prisoner of war camp.

2 "Article 11

3  
4 "At the close of military engagement, the  
5 commander of an army or the commander of an independ-  
6 ent division may, by an agreement with the enemy,  
7 repatriate or exchange the wounded or sick prisoners  
8 of war, and he may, if deemed expedient, set at  
9 liberty any prisoner of war; provided that said  
10 prisoner of war takes an oath that he will refrain  
11 from participating further in any military engage-  
12 ments during the same war.

13 "In the case mentioned in the preceding para-  
14 graph, the rank, the number of prisoners of war,  
15 and the reasons for their release shall be reported  
16 to the Imperial Headquarters which in turn shall  
17 notify the Minister of War.

18 "Article 12

19  
20 "Any unit which has captured prisoners of war  
21 shall interrogate each prisoner of war regarding his  
22 name, age, rank, place of origin, the unit to which  
23 he has been attached in his home country, and the  
24 date and the place at which he was sounded; and said  
25 unit shall prepare a roster of the prisoners of war,

1 e prisoner of war journal, and a register of articles  
2 confiscated or received for deposit as prescribed  
3 in Article 9.

4 "When prisoners of war have been repatriated,  
5 exchanged, or set at liberty on parole, such facts  
6 shall be stated in the roster of the prisoners of  
7 war.

8 "Article 13  
9

10 "Prisoners of war shall be segregated into  
11 officers and personnel lower than warrant officer,  
12 and they shall be evacuated under guard to the near-  
13 est communication center or to a transportation and  
14 communication authority.

15 "In the above case, objects received for deposit,  
16 the roster of prisoners of war, the prisoner of war  
17 journal, and the register of objects shall be sent  
18 along with the prisoners of war.

19 "Article 14  
20

21 "Any unit, communication center, or transporta-  
22 tion and communication authority which has made  
23 arrangements with a naval commander for the delivery  
24 of prisoners of war will get, along with the prisoners  
25 of war, objects kept for deposit, a roster of priso-



1      ners of war, a prisoners of war journal, and a  
2      register of objects.

3                      "Article 15  
4

5              "The commander of an army or the commander of  
6      an independent division shall promptly report the  
7      number of prisoners of war to be evacuated to the  
8      Imperial Headquarters, which shall notify the  
9      Ministry of War.  
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"Article 16

"When the Ministry of War has received the notice mentioned in the preceding article, it shall report to the Imperial Headquarters the port or other place at which the delivery of the prisoners of war is to be made, and the Imperial Headquarters shall in turn notify the Ministry of War as to the time and date of the arrival of the prisoners of war at the said places.

"The same procedure shall apply when the Ministry of War has received Notice regarding the delivery of naval prisoners of war.

"Article 17

"Any communication center or any transportation and communication authority which has received the delivery of prisoners of war in accordance with either Article 13 or 14 shall evacuate such prisoners under guard to the places mentioned in the preceding Article and then deliver them to the person authorized by the Ministry of War to receive them, together with the objects left for deposit, a roster of prisoners of war, a prisoner of war journal, and a register of objects.

"Article 18

"The 'Imperial Headquarters' shall read the



1 'General Staff,' in case no Imperial Headquarters  
2 has been established.

3 "Chapter III

4 "Imprisonment and Administration of  
5 Prisoner of War.

6 "Article 19

7 "Repealed.

8 "Article 20

9 "Army buildings, temples, and other buildings  
10 which are not detrimental to the honor and health  
11 of the prisoners of war and which are adequate enough  
12 to prevent their escape shall be assigned as prisoner  
13 of war camps.

14 "Article 21

15 "The commander of an army or the commander  
16 of a garrison who administers a prisoner of war camp  
17 (Henceforth called the chief administrator of the  
18 prisoner of war camp) shall establish the standing  
19 orders of the prisoner of war camp and shall make a  
20 report thereof to the Minister of War and to the  
21 Director of Prisoners of War Information Bureau.

22 "Articles 22-25

23 "Repealed.

24 "Article 26

25 "Inasmuch as all postal matter sent to or by

1 prisoner of war are exempt from all postal charges  
2 by international agreement, the chief administrator  
3 of the prisoner of war camp shall provide for adequate  
4 postal procedures through arrangements with the post  
5 offices in the locality.

6 "Article 27.

7 "The regulations for the administration of  
8 prisoners of war in prisoner of war camps shall be  
9 established by the chief administrator of the prisoner  
10 of war camp.

11 "The regulations mentioned in the pre-  
12 ceding paragraph shall be reported to the Minister  
13 of War and to the Director of Prisoners of War Infor-  
14 mation Bureau.

15 "Chapter IV

16 "Miscellaneous Provisions."

17 THE PRESIDENT: The clock in the courtroom  
18 is wrong. It is now noon. We will adjourn until  
19 half-past one.

20 (Whereupon, at 1200, a recess was  
21 taken.)  
22  
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25



## AFTERNOON SESSION

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The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International Military Tribunal for the Far East is now resumed.

THE PRESIDENT: Colonel Woolworth.

MR. WOOLWORTH: The next excerpt is on page 8,

Article 5:

"Article 5. As soon as prisoners of war have been imprisoned, they shall be administered an oath forbidding them from making an escape.

"Prisoners of war who refuse to take the oath mentioned in the preceding paragraph shall be deemed to have intentions of escaping and shall be placed under strict surveillance."

Article 13 on the same page:

"When an interview with a prisoner of war has been authorized, necessary restrictions regarding the place, time of interview, and the range within which the conversation may be conducted may be imposed for the purpose of control and a guard shall also be present at this interview."

Page 9, Article 18:

"At the end of each month the commandant

1 of the prisoner of war camp shall collect all matters  
2 concerning internments, removals, releases, deaths,  
3 escapes, control, work, pay, correspondence, sanita-  
4 tion, relief, propaganda, crimes, punishments, etc.,  
5 and prepare a monthly report which shall also include  
6 a list of the prisoners of war and he shall report  
7 the same to the Minister of War and to the Director  
8 of Prisoner of War Information Bureau. However, on  
9 urgent matters, this report shall be submitted when-  
10 ever it is necessary.

11 Page 10, Article 25:

12 "The Minister of War shall determine when  
13 the facilities for the handling of postal matter,  
14 postal money orders, and telegrams to be dispatched  
15 by the prisoners of war shall be open to them."

16 Page 11, Article 32:

17 "The commandant of the prisoner of war camp  
18 shall prescribe rules and regulations for the handling  
19 of postal matters, postal money order, and telegrams  
20 sent by or to prisoners of war, and he shall make  
21 report thereof to the Minister of War and to the  
22 Director of the Prisoner of War Information Bureau."

23 Page 14, Article 15:

24 "In the theatre of war the supreme commander  
25 of the locality shall determine the allowances to be



1 granted to prisoners of war, applying the preceding  
2 articles with the necessary modification.

3 "This modification shall come into effect  
4 on and after Jan. 15, 1942."

5 Page 15, Article 6:

6 "When the Minister of War has granted per-  
7 mission for the application referred to in the pre-  
8 ceding paragraph, he shall determine the number of  
9 prisoners of war, the place of work, type of work,  
10 hours, pay, period of work, etc., and shall so notify  
11 the chief administrator of prisoner of war camps."

12 Page 16, Article 17 --

13 THE PRESIDENT: Did you deliberately pass  
14 over article 3 which was marked?

15 MR. WOOLWORTH: I did not. I was in error,  
16 sir. Article 3, page 14:

17 "The commander of an army or the commander  
18 of a garrison (hereinafter called the chief admin-  
19 istrator of prisoner of war camps) may order prisoners  
20 of war to be employed on work at any military organ-  
21 ization outside the prisoner of war camp. In such a  
22 case the authorization of the Minister of War must  
23 previously be obtained regarding the number of  
24 prisoners, place, description, hours of work, and  
25 period of work, etc., but no such authorization shall

1 be necessary outside the Empire (which term shall  
2 herein after include Japan Proper, Chosen and Taiwan).

3 "When the chief administrator of prisoner  
4 of war camps intends to order prisoners of war to be  
5 employed on work at any army organization outside  
6 the Empire, he shall immediately submit it to the  
7 Minister of War regarding the number of prisoners,  
8 place, description, hours of work and period of  
9 work, etc."

10 Article 6, page 15:

11 "When the Minister of War has granted per-  
12 mission for the application referred to in the pre-  
13 ceding paragraph, he shall determine the number of  
14 prisoners of war, the place or work, type of work,  
15 hours, pay, period of work, etc., and shall so notify  
16 the chief administrator of prisoner of war camps."

17 Article 10, same page:

18 "When the chief administrator of prisoner of  
19 war camps has set the prisoners of war to work outside  
20 the army units, as mentioned in a preceding Article,  
21 he shall submit a report to the Minister of War stat-  
22 ing the number of prisoners of war employed, place  
23 of work, type of work, pay, hours, period of work,  
24 etc."

25 Page 16, Article 17:



1 "When any employer of prisoners of war has  
 2 violated any of the provisions of the work permit  
 3 approved either by the Minister of War or by the  
 4 chief administrator of prisoner of war camps pur-  
 5 suant to Article 5 or 8, or the regulations specified  
 6 by the commandant of the prisoner of war camp for the  
 7 administration of the prisoners of war pursuant to  
 8 Article 7 or 9; the Minister of War (if outside the  
 9 Empire, the chief administrator of prisoner of war  
 10 camps) may cancel the authority to employ prisoners  
 11 of war.

12 "In addition to the provision of the pre-  
 13 ceding paragraph, the Minister of War can cancel the  
 14 authority to employ prisoners of war whenever he  
 15 deems it necessary.

16 "In the case mentioned in paragraph 1, the  
 17 employer of prisoners of war may not demand compen-  
 18 sation for any damages caused by the revoking of  
 19 such authorization."

20 Page 18, appendix:

21 "Application for Permission to Employ  
 22 Prisoners of war

23 "Date.....

24 "To Mr. ...., Minister of War (Commander  
 25 of \_\_\_\_\_ Army or Commander of \_\_\_\_\_ Garrison)

1 "I hereby respectfully make an application  
2 for your permission to employ prisoners of war as  
3 follows:

4 "Number of prisoners of war .....

5 "Place at which prisoners of war are to  
6 be employed.....

7 "Types of work of prisoners of war.....

8 "Facilities for accommodation of prisoners  
9 of war.....

10 "Guards for prisoners of war.....

11 "Direction for the work of prisoners of  
12 war.....

13 "Pay to prisoners of war.....

14 "Hours of labor of prisoners of war.....

15 "Length of employment of prisoners of war.....

16 "Application for Permission to Employ

17 Prisoners of War -2-

18 "Address

19 "Occupation

20 "Name and Surname Seal Impression

21 "Date of birth

22 "Remarks

23 "1. The facilities for accommodation of  
24 prisoners of war need not be mentioned if they are  
25 outside the Empire.



1 "2. The general rule on the facilities for  
2 the accommodation of prisoners of war is for the  
3 employer of prisoners of war to make use of existing  
4 buildings or to construct new ones.

5 "In the above application a definite plan  
6 must be stated and the facilities must be completed  
7 immediately after permission has been given.

8 "The pay allowed to prisoners of war shall  
9 be generally one yen, but the pay for persons having  
10 special skills may be increased up to 35 sen over  
11 that amount, depending upon the skill, type of work,  
12 hours, and the place of work."

13 Page 19:

14 "Application for Authority to Dispatch  
15 Prisoners of War

16 "Appendix

17 "Application for Authority to Dispatch  
18 Prisoners of War.

19 "Date.....

20 "To Mr. \_\_\_\_\_, Minister of War (Commander  
21 of \_\_\_\_\_ Army or Commander of \_\_\_\_\_ Garrison)

22 "I hereby respectfully make an application  
23 for permission for the dispatch of prisoners of war  
24 as follows:

25 "Number of prisoners of war to be dispatched.....

1 "Place at which dispatched prisoners of war  
2 are to be employed.....

3 "Types of work for dispatched prisoners of  
4 war.....

5 "Facilities for the accommodation of dis-  
6 patched prisoners of war.....

7 "Guards for dispatched prisoners of war.....

8 "Direction of the work of dispatched pris-  
9 oners of war.....

10 "Allowances for dispatched prisoners of war:

11 "Food.....

12 "Bedding.....

13 "Fuel for Heating.....

14 "Travelling Expenses.....

15 "Articles of Daily Use.....

16 "Other Matters.....

17 "Pay for dispatched prisoners of war.....

18 "Canteen for dispatched prisoners of war.....

19 "Medical Treatment of dispatched prisoners  
20 of war.....

21 "Hours of labor of dispatched prisoners of  
22 war.....

23 "Period of employment of dispatched prisoners  
24 of war....."

25 The next reference is page 23, Article 6:



1 "The employer of dispatched prisoners of  
2 war shall establish and maintain facilities for the  
3 housing and administration of the dispatched prisoners  
4 of war. Such facilities shall generally be similar  
5 to the facilities at the prisoner of war camps."

6 Next is page 24, Article 14:

7 "The employer of dispatched prisoners of  
8 war shall report to the commandant of the prisoners  
9 of war camp in the manner specified by the commandant,  
10 conditions of the dispatched prisoners of war (the  
11 progress of work, health conditions, and other im-  
12 portant matters) on the tenth, twentieth, and the end  
13 of each month."

14 Next is page 25, Article 16:

15 "The employer of dispatched prisoners of  
16 war shall not perform any acts affecting the prisoners  
17 of war which are not provided for in this order un-  
18 less special permission has been given by the Minister  
19 of War for the acts."

20 Bottom of the same page:

21 "PROCEDURE FOR PRESENTING REQUESTS FOR  
22 AUTHORITY TO EMPLOY AND DISPATCH PRISONERS OF WAR.

23 "REGULATIONS FOR THE TREATMENT OF DISPATCHED  
24 PRISONERS OF WAR.

25 "(Home Affairs Ministry Notice #1 to the

1 Army, Navy, and the People, 20 May 1943)

2 "When any person desires to employ or dis-  
3 patch prisoners of war to the various factories and  
4 enterprises in Japan Proper, Chosen, and Taiwan as  
5 provided for in the Regulations on the Work of Prisoners  
6 of War and in the Regulations for the Dispatch of  
7 Prisoners of War, he shall in compliance with the  
8 following procedure, submit to the Minister of War  
9 requests (henceforth called petitions) for authority  
10 to employ and dispatch prisoners of war.

11 "I. Factories and other enterprises managed  
12 or supervised by the Army (according to the Law on  
13 the Supervision of Military Munitions).

14 "a. The petition shall be submitted to the  
15 government supervisory office.

16 The Government supervisory office shall  
17 attach its recommendations and forward the petition  
18 through channels to the War Ministry.

19 "The other offices shall also attach their  
20 recommendations to the petition.

21 "b. A copy of the above petition shall be  
22 submitted according to the following procedure:

23 "1. Japan Proper.

24 "The petition shall pass through the govern-  
25 ment office, municipal prefecture, or prefecture



1 having jurisdiction over it and shall then be sub-  
2 mitted to the Bureau for the Promotion of People's  
3 Welfare. When there are any of the recommendations  
4 mentioned above, the Bureau for the Promotion of  
5 People's Welfare shall report them to the War  
6 Ministry.

7 "2. Chosen or Taiwan.

8 "The petition shall pass through the district,  
9 province, or office having jurisdiction over it or  
10 through the governor-general of Chosen or Taiwan  
11 and shall then be submitted to the Ministry of Home  
12 Affairs. (When these organizations have any recommenda-  
13 tions they may attach them to the petition).

14 "When there are any recommendations as  
15 aforesaid, the Ministry of Home Affairs shall report  
16 them to the War Ministry.

17 "II. Factories and other enterprises managed  
18 or supervised by the Navy (according to the Law on  
19 the Supervision of Ship Building and Naval Ordnance).

20 "a. The petition shall be submitted to the  
21 government supervisory office. The government super-  
22 visory office shall attach its recommendation and for-  
23 ward the petition through channels to the Navy Ministry.

24 "The other offices shall also attach their  
25 recommendations to the petition.

1 "The Navy Ministry shall attach their  
2 recommendation and transmit the petition to the War  
3 Ministry.

4 "b. A copy of the above petition shall be  
5 submitted in accordance with the following procedure:

6 "1. Japan Proper.

7 "The petition shall pass through the govern-  
8 ment office, municipal prefecture, or prefecture  
9 having jurisdiction over it and shall then be sub-  
10 mitted to the Bureau for the Promotion of People's  
11 Welfare. (When these organizations have any recommend-  
12 ations, they may attach them to the petition.) When  
13 there are any of the above recommendations, the Bureau  
14 for the Promotion of People's Welfare shall report  
15 them to the War Ministry or to the Navy Ministry.

16 "2. Chosen or Taiwan.

17 "The petition shall pass through the dis-  
18 trict, province, or the government office having  
19 jurisdiction over it, or through the governor-general  
20 of Chosen or Taiwan and shall then be submitted to  
21 the Ministry of Home Affairs. (When these organiza-  
22 tion have any recommendations they may attach them  
23 to the petition.)

24 "When there are any of the above recommenda-  
25 tions, the Home Affairs Ministry shall report thereof



1 to the War Ministry and to the Navy Ministry.

2 "III. For factories and other enterprises  
3 managed or supervised jointly by the army and the  
4 navy (According to the Law on the Supervision of  
5 Military Munitions or to the Law on the Supervision  
6 of Ship Building and Naval Armance) the above two  
7 procedures will also apply. However, where there  
8 is joint supervision, it shall be so indicated at the  
9 end of the petition."

10 Under Section IV on the same page:

11 "The Ministry of Home Affairs shall attach  
12 its recommendations and send the petition to the War  
13 Ministry."

14 Page 28, Article 4:

15 "Before a commandant of a prisoner of war  
16 camp dispatches prisoners of war, he shall endeavor  
17 to prevent escapes and unexpected disturbances investi-  
18 gating thoroughly the characters, mental attitudes,  
19 past histories, as well as the abilities of the  
20 prisoners of war, and in addition he shall administer  
21 a solemn oath on other matters of importance."

22 Article 5, paragraph 4, same page:

23 "Interviews with dispatched prisoners of war  
24 and inspection of the places to which prisoners of  
25 war have been sent shall not be allowed of any persons

1 who have not been authorized by the commandant of  
2 the prisoner of war camp."  
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1 Next, page 29: "DISCIPLINARY LAW FOR  
2 PRISONERS OF WAR (Law No. 41 9 March 1943)

3 "Article 1

4 "This law applies to prisoners of war who have  
5 committed criminal offenses.

6 "Article 2

7 "The leader among a group of persons guilty  
8 of mob violence or mob intimidation shall be subject  
9 either to the death penalty, or to hard labor or im-  
10 prisonment for life. The other persons involved shall  
11 be subject to either hard labor or confinement for life  
12 or for a minimum of one year.

13 "Persons who have made preparations or con-  
14 spired to commit the crimes mentioned in the preceding  
15 paragraph shall be subject to either hard labor or to  
16 confinement for a minimum of one year.

17 "Article 3

18 "Prisoners of war who kill a person supervising,  
19 guarding, or escorting them shall be subject to the  
20 death penalty. .

21 "Persons who have made preparations or con-  
22 spired to commit the crime mentioned in the preceding  
23 paragraph shall be subject to either hard labor or to  
24 confinement for a minimum of two years.

25 "Article 4

1 "Prisoners of war who inflict injury or commit  
2 any acts of violence or intimidation against any per-  
3 son supervising, guarding, and escorting them shall  
4 be subject to either the death penalty, or to hard  
5 labor or to imprisonment for life or for a minimum of  
6 two years.

7 "The leader of a group of persons who have  
8 acted together in committing the offenses mentioned in  
9 the preceding paragraph shall be subject to the death  
10 penalty, or to hard labor or to imprisonment for life.  
11 The other persons involved shall be subject to either  
12 the death penalty or to hard labor or imprisonment for  
13 life or for a minimum of three years.

14 "Persons who have caused death in committing  
15 the offenses mentioned in the preceding two paragraphs  
16 shall be subject to the death penalty.

17 "Article 5

18 "Prisoners of war who defy or disobey the or-  
19 ders of persons supervising, guarding, or escorting them  
20 shall be subject to either the death penalty, or to  
21 hard labor or to imprisonment for life or for a minimum  
22 of one year.

23 "The leader of a group of persons who have  
24 acted together in committing the offenses mentioned in  
25 the preceding paragraph shall be subject to either the



1 death penalty or to hard labor or to imprisonment for  
2 life. The other persons involved shall be subject to  
3 either the death penalty, or to hard labor or to im-  
4 prisonment for life or for a minimum of two years.

5 "Article 6

6 "Prisoners of war who insult persons super-  
7 vising, guarding, or escorting them either in their  
8 presence or publicly shall be subject to either hard  
9 labor or imprisonment for a maximum of five years.

10 "Article 7

11 "The leader of a group of persons who have  
12 acted together in effecting an escape shall be subject  
13 to either the death penalty, or to hard labor or to  
14 imprisonment for life or for a minimum of ten years.  
15 The other persons involved shall be subject to either  
16 the death penalty, or to hard labor or to imprisonment  
17 for life or for a minimum of one year.

18 "Article 8

19 "Any attempts to commit any of the offenses  
20 mentioned in the first paragraphs of Articles 2, 3, and  
21 4, the second paragraph of Article 4, and the preceding  
22 article shall be punishable.

23 "Article 9

24 "Persons on parole who break the parole shall  
25 be subject to either the death penalty, or hard labor,

1 or imprisonment for life or for a minimum of seven years.

2 "When the persons mentioned in the preceding  
3 paragraph offer armed resistance, they shall be sub-  
4 ject to the death penalty.

5 "Article 10

6 "Those persons who have taken an oath not to  
7 escape and who violate this oath shall be subject to  
8 either hard labor or imprisonment for a minimum of  
9 one year. Those persons who violate any other oaths  
10 shall be subject to a maximum of ten years.

11 "Article 11

12 "A person who, having the intention of commit-  
13 ting a disobedient act, incites other persons shall be  
14 deemed as a leader and be subject to hard labor or  
15 confinement for a minimum of one year and a maximum of  
16 ten years. The other persons involved shall be sub-  
17 ject to hard labor or confinement for a minimum of six  
18 months and a maximum of five years.

19 "Article 12

20 "The provisions of Article 7 shall not apply  
21 to any person who has been made a prisoner of war for  
22 the second time for any offenses committed during his  
23 previous status as a prisoner of war.

24 "Additional Provision

25 "This law shall become effective from the day



of its promulgation."

At the bottom of the same page: "DISPOSAL OF PRISONERS OF WAR

"(War Ministry, Asia, Confidential Report No. 1456, 6 May 1942.)

"(War Ministry, Asia, Confidential Report No. 1404, 2 May 1942.)

"(Communication and Transportation Report No. 434, 5 May 1942.)

"Summary of the Disposal of Prisoners of War.

"1. Prisoners of war who are white persons shall be imprisoned in Chosen, Taiwan, Manchuria, and China successively to be employed in the expansion of our production and on work connected with military affairs.

"If the above objective cannot be attained at present, these prisoners of war shall be imprisoned immediately in prisoner of war camps to be established in their present localities.

"2. Prisoners of war who are not white persons and who do not necessitate imprisonment shall immediately be released on parole and made to work in their present localities.

"3. A part of the prisoners of war who are white persons and who are now residing in Shonan shall

1 be imprisoned in Chosen, Taiwan, etc., by the end of  
 2 August of this year, in such numbers to be determined  
 3 later.

4 "The prisoners of war who are to be imprisoned  
 5 in Taiwan, except those who are considered essential in  
 6 their present localities, shall include highly skilled  
 7 technicians and high ranking officers (above colonel).

8 "4. The remainder of the prisoners of war are  
 9 to be immediately interned in prisoner of war camps to  
 10 be organized and established in their present localities.

11 "5. Special units arranged beforehand com-  
 12 prised of Koreans and Formosans shall be assigned for  
 13 the purposes of guarding and administering the pris-  
 14 oners of war.

15 "Prisoner of war camps shall be organized un-  
 16 der one command for each army so that they can be di-  
 17 vided according to any manner that each army deems  
 18 proper."

19 Next, page 33, bottom of the page: "Fixed  
 20 amount of main articles revised by Army Confidential  
 21 Report No. 5511, 19 June 1944

22 "Officers and equivalent 390 grams

23 "Warrant officers, non-commissioned  
 24 officers and enlisted men 570 grams"

25 THE PRESIDENT: That is under the heading:



"Basic Food Allowances for Prisoners of War."

1 MR. WOOLWORTH: Yes, sir. That completes the  
2 excerpts from this exhibit.

3 I desire to have marked for identification  
4 IP3 document No. 1576-A. I want to introduce the  
5 "Extract from the Imperial Diet Proceedings of February  
6 17, 1943."

7 THE PRESIDENT: Admitted on the usual terms.

8 CLERK OF THE COURT: Prosecution's document  
9 No. 1576-A will receive exhibit No. 1966 for identifi-  
10 cation only; and the excerpts therefrom will receive  
11 exhibit No. 1966-A.

12 (Whereupon, the document above re-  
13 ferred to was marked prosecution's exhibit  
14 No. 1966 for identification; the excerpts  
15 therefrom were marked exhibit No. 1966-A  
16 and received in evidence.)

17 MR. WOOLWORTH: This document is certified  
18 as KIMURA's explanation to the Diet of War Prisoner  
19 Punishment Act.

20 "Extract from the Imperial Diet Proceedings  
21 of February 17, 1943 Concerning the Draft of Revision  
22 of a Part of Military Service Law and Three Other  
23 Matters.

24 "KIMURA, Hyotaro, Government Committee: -  
25

"I should like to explain the reason of the proposal of the draft of revised law concerning War Prisoners Punishment Act, being the Act No. 38 of 1905. When a prisoner committed a crime against the criminal law or other laws and ordinances in the Japanese homeland, in the occupied area of the Japanese forces or in the stationed area of the same, the laws and ordinances concerned may be applied to him respectively, so the War Prisoners Punishment Act may be said to be complete from the point of view of maintenance of peace and order in general or preservation of security of military forces; but if we observe this act from the standpoint of the special standing as prisoners and also special necessity of their control and supervision, it leaves much to be desired. During the Russo-Japanese War, some Russian prisoners showed disobedience by resisting the guards, or by escaping together in a large number, or behaving violently or beating the members of the POW camp, and the government authorities regretted it from the standpoint of control and finally an urgent Imperial Ordinance No. 225 of 1904 was promulgated and in the following year, 1905, War Prisoners Punishment Act was enacted as the Law No. 38 of 1905. This is the law actually in force. This was, however, enacted under the old punishment



1 system before the enactment of the penal law actually  
2 in force, and consequently the items of punishment,  
3 the name of punishment, the term of imprisonment, and  
4 other rules in general are inadequate. On the other  
5 hand, since the outbreak of the Greater East Asia War,  
6 the number of war prisoners seized by the Japanese has  
7 amounted to three hundred thousand and their national-  
8 ities and qualities are very different and complicated,  
9 and until today a large number of them frequently es-  
10 caped and showed disobedience. And in the case of  
11 supervision of war prisoners, it is of urgent need of  
12 controlling so as to be able to intern a large number  
13 of war prisoners in safety and tranquility by a small  
14 number of members of the camp. Therefore, the Govern-  
15 ment expects to carry out the supervision and control  
16 of the present war prisoners most satisfactorily by  
17 adding necessary rules to the War Prisoners Punishment  
18 Act actually in force or by rearranging it. I am, here-  
19 with, going to explain the contents of the draft  
20 article by article."  
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1 "Article I is the regulation which elucidates  
2 that the object of application of the present law is  
3 the prisoner of war, by which the explanation in each  
4 article was omitted that the subject of offense is  
5 the prisoner of war.

6 "Article II is the regulation of punishment  
7 of riotous action of the prisoner of war. The mass  
8 assembling and riotous action of prisoners of war  
9 may be said most disobedient and must be avoided  
10 from the standpoint of supervision and control of the  
11 prisoner of war; therefore, it is quite necessary to  
12 punish the perpetrators with a reasonable penalty and  
13 also the provisionary conspiracy in order to nip the  
14 evil in the bud.

15 "Articles III and IV are the regulations to  
16 control severely the conduct of killing, wounding,  
17 violence and threats against the superintendent of  
18 prisoners of war, who takes charge of supervision,  
19 guards or convoys of prisoners of war. It is needless  
20 to say that it is necessary to warn all the prisoners  
21 by severely punishing those who will carry out such  
22 riotous action against the superintendent of prisoners  
23 of war, especially when they venture to resist by  
24 conspiring together. And as for the murder of the  
25 superintendent of prisoners of war, the provisional



1 plot shall also be punished. Although regulations  
2 for violence are enacted in the law actually in  
3 force, in this draft it is projected to enlarge  
4 the scope of the penalty and to leave the room to  
5 take proper steps to deal either leniently or  
6 severely with the concrete examples.

7 "Article V is the rearrangement of the  
8 regulations actually in force which aims to control  
9 those who oppose or disobey the order of the  
10 superintendent of the prisoners of war and its gist  
11 is the same as explained in Articles III and IV.

12 "Article VI is a regulation to control the  
13 conduct of insult for the superintendent of the  
14 prisoners of war. Such conduct does not only  
15 impair the dignity of the sufferer, but also is  
16 the expression of a spirit of insubordination;  
17 therefore, we cannot neglect it from the standpoint  
18 of control as disobedient conduct. According to  
19 the former experience of the internment of prisoners  
20 of war, there were some who acted as explained  
21 just now, for whom the regulation of insult crime  
22 of the penal law is incomplete.

23 "Article VII is a regulation of punishment  
24 of those who escape by conspiring together and is  
25 nothing other than the rearrangement of the regulation

1 actually in force.

2 "Article VIII is a regulation of punishment  
3 of unconsummated crimes of violence and threat  
4 of mass assembly, murder, wounding, violence,  
5 threat to the superintendent of prisoners of war  
6 and the attempted escape by conspiring together.  
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1 "Article IX and Article X are the regulations  
2 for the punishment of the violation of word of honor  
3 and is nothing other than the rearrangement of the  
4 regulations actually in force. Among various kinds  
5 of oaths, the so-called release by oath is strictest  
6 in its character, so specially a regulation is enacted  
7 for it and heavy penalty is to be imposed; the oath  
8 not to escape is next to this. And further as for  
9 other oaths, regulations are to be rearranged to  
10 punish violation according to the degree of importance  
11 respectively.  
12

13 "Article XI is to punish the action of  
14 conspiring together. That is to say, to conspire  
15 together with the aim of disobedience is a violation  
16 of negative resistance and will be a hotbed of riotous  
17 and insubordinate action; therefore, its control cannot  
18 be neglected. This regulation may be quite essential  
19 for preventing riotous action as well as for the  
20 maintenance of discipline.

21 "Article XII is a regulation not to apply  
22 the penalty regulation of escape by conspiring  
23 together violated before to those prisoners who had  
24 escaped and reached their own troops or were seized  
25 as prisoners of war again after having left the area

1 occupied by the Japanese forces and this is a re-  
2 arrangement of the regulation actually in force.

3 "Furthermore, in Article VII of the law  
4 actually in force, a regulation is drawn up concerning  
5 the trial of the crime of prisoners of war; but in  
6 consequence of regulations drawn up with the same gist  
7 in both the army court-martial law and the navy court-  
8 martial law enacted after the enactment of the law  
9 actually in force, it became unnecessary and it has been  
10 omitted in this case."

11 I desire to introduce document No. 978-A,  
12 which is correspondence from the Chief of the  
13 General Staff of the Eastern District Army to the  
14 Minister of War.

15 THE PRESIDENT: Admitted on the usual terms.

16 CLERK OF THE COURT: Prosecution document  
17 No. 978-A will receive exhibit No. 1967.

18 (Whereupon, the document above  
19 referred to was marked prosecution's ex-  
20 hibit No. 1967 and received in evidence.)

21 MR. WOOLWORTH: (Reading):

22 "War Ministry Receipt File No.

23 "Rikua-Fu Ju No. 6011

24 "Togunshoku No. 41

25 "Date: 2 October, Showa 17 (1942)



1 "From: TATSUMI, Yeichi, Chief of General  
2 Staff of the Eastern District Army

3 "To: TOJO, Hideki, Minister of War

4 "In accordance with Article 5 of the Prisoners  
5 of War Labor Regulations, we request your sanction  
6 of the employment of the war prisoners interned in  
7 the Tokyo Prisoner of War Camp for the undermentioned  
8 works.

9 "We wish to include the employment of the war  
10 prisoners interned in the Kawasaki Prisoner of War  
11 Camp, which has already been applied for and sanctioned,  
12 in that of the Tokyo Prisoner of War Camp. Please  
13 sanction this also at the same time.

14 "1. Kinds of labor:

15 "Loading and unloading of cargo at harbour.

16 "Industrial labor for the expansion of  
17 productive power.

18 "Construction of canals.

19 "2. Place of labor:

20 "a. Longshoremen's work at Shibaura area  
21 in Tokyo-Yokohama harbor.

22 "b. Longshoreman's work in the lower  
23 stretches of the Sumida River, from the Eitai Bridge  
24 downward.

25 "c. Longshoreman's work in Yokohama harbor.

1 "d. Longshoreman's work along the wharves  
2 of Yokohama harbor.

3 "1st working place - Shinko wharf

4 "2nd working place - Omote Takashima-Cho

5 Station

6 "3rd working place - Yamanouchi-Cho Warehouse

7 "4th working place - Senwaka-Cho Warehouse

8 "5th working place - Moriya-Cho Warehouse

9 "6th working place - Ebisu-Cho Warehouse

10 "7th working place - other transportation

11 "8th working place - Munitions factories for

12 expanding production

13 "e. Construction of a canal between Tokyo  
14 and Yokohama

15 "f. Loading and unloading railway cargo  
16 in the premises of Kawasaki Station.

17 "3. Working hours:

18 "Seven hours will be the daily standard  
19 working hours, but it may be extended if necessity  
20 requires.

21 "On Sundays or on any other day considered  
22 necessary by the chief of the Prisoner of War Camp,  
23 rest will be given.

24 "4. Wages:

25 "One Yen a day will be the standard wage, but



1 this may be increased or decreased according to their  
2 abilities and diligence.

3 "5. Period:

4 "From 1 October of Showa 17 (1942) to 31  
5 March of Showa 18 (1943)."

6 This is:

7 "War Ministry Receipt File No. Rikua-Fu  
8 Ju No. 6011

9 "Item: Matter regarding labor to be assigned  
10 to prisoners of war

11 "Proposer: The Eastern District Army Head-  
12 quarters

13 "Date: 2 October Showa 17 (1942)

14 "Draft of the War Minister's Instruction to  
15 the Commander of the Eastern District Army:

16 "Your application, 'Togunshoku' No. 41,  
17 dated 2 October Showa 17 (1942), is approved as requested.

18 "Rikua-Fu No. 1160, dated 22 October Showa  
19 17 (1942).

20 "(Translator's Note: At the top of Page 1  
21 of this document there appears the seal of the  
22 Military Affairs Section, and in the right hand margin  
23 of the same page appears a stamp showing receipt of  
24 the War Ministry, Military Affairs Section, October 3,  
25 1942.

1 this may be increased or decreased according to their  
2 abilities and diligence.

3 "5. Period:

4 "From 1 October of Showa 17 (1942) to 31  
5 March of Showa 18 (1943)."

6 This is:

7 "War Ministry Receipt File No. Rikua-Fu  
8 Ju No. 6011

9 "Item: Matter regarding labor to be assigned  
10 to prisoners of war

11 "Proposer: The Eastern District Army Head-  
12 quarters

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14 "Draft of the War Minister's Instruction to  
15 the Commander of the Eastern District Army:

16 "Your application, 'Togunshoku' No. 41,  
17 dated 2 October Showa 17 (1942), is approved as requested.

18 "Rikua-Fu No. 1160, dated 22 October Showa  
19 17 (1942).

20 "(Translator's Note: At the top of Page 1  
21 of this document there appears the seal of the  
22 Military Affairs Section, and in the right hand margin  
23 of the same page appears a stamp showing receipt of  
24 the War Ministry, Military Affairs Section, October 3,  
25 1942.



1 "At the top of Page 3 of this document  
2 appears the following:

3 "Period of Retention: Permanent

4 "Approving Authority: Vice-Minister of War

5 "Disposing Authority: KAWAHARA (Indicated  
6 by seal).) "

7 Followed by a statement of authenticity of  
8 the witness.

9 Prosecution desires to introduce document  
10 No. 978-B, which is a telegram addressed to the  
11 Minister of War from the Commander of the Taiwan  
12 Army.

13 THE PRESIDENT: Admitted on the usual terms.

14 CLERK OF THE COURT: Prosecution document  
15 No. 978-B will receive exhibit No. 1968.

16 (Whereupon, the document above  
17 referred to was marked prosecution's ex-  
18 hibit No. 1968 and received in evidence.)  
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1 MR. WOOLWORTH: (Reading)

2 "Confidential. Decoded Telegram. Dispatched:  
3 1600, September 1; Arrived: 1715, September 1;  
4 Addressed to: Ministry<sup>(of War)</sup>; Sender: Commander of the  
5 Taiwan (Formosa) Army; Telegram Number: Taiwan  
6 (Formosa) Telegram No. 220.

7 "1. Three Hundred ninety-nine prisoners of  
8 war, including Lt. General Percival, 6 Major-Generals,  
9 or Rear Admirals, 27 Brigadier-Generals, or Commodores,  
10 25 Colonels, or Captains, 130 officers of the rank of  
11 Lt. Colonel, or Commander, or below, and 210 non-  
12 commissioned or Petty Officers, together with 6 civil  
13 officials, who had been transferred from Tomi Group,  
14 were interned, on August 31, in the Third Branch of  
15 the Taiwan (Formosa) POW Camp (Heito).

16 "2. At first, Lt. General Percival and the  
17 others refused to make an oath, but finally all but  
18 3 (1 Brigadier-General, 1 Navy Captain and 1 Engineer-  
19 ing Lieutenant, junior grade) signed their names.  
20 After that, they became obedient.

21 "NOTE: The following seals appear on the  
22 document:

23 "1. Received by the War Ministry. Doc. No.:  
24 Army, Asia, General Document, Received, No. 5124.

25 "2. Received by the Ministerial Secretariat,



1 it might have been addressed to some other ministry  
2 and copies sent to the various departments.

3 THE PRESIDENT: Seal No. 1 is "Received by  
4 the War Ministry." We may be able to draw a conclusion  
5 from that. However, you may like to add something.

6 MR. WOOLWORTH: If the Tribunal please, the  
7 statement of source and authenticity shows that it  
8 is a telegram from the Commander of Taiwan to the  
9 War Minister.

10 THE PRESIDENT: Mr. Blewett recognized that.  
11 He said on the face of the document there is nothing  
12 to show what minister was intended. What he says is  
13 noted.

14 MR. WOOLWORTH: Prosecution desires to intro-  
15 duce in evidence document No. 1571-A, the report on  
16 prisoner of war labor conditions.

17 THE PRESIDENT: Admitted on the usual terms.

18 CLERK OF THE COURT: Prosecution's document  
19 No. 1571-A will receive exhibit No. 1969.

20 (Whereupon, the document above  
21 referred to was marked prosecution's exhibit  
22 No. 1969 and received in evidence.)

23 MR. WOOLWORTH: (Reading)

24 "E.A.A. Employment No. 47.

25 "Report on P.W. Labor Condition.

1 "To War Ministry. Oct. 21, Showa 17/1942/

2 "We are reporting to you that we have been  
3 notified as per enclosure on the above matter.

4 "Headquarters, Eastern Area Army.

5 "SEAL.

6 \* \* \*

7 "17 Employment, No. 1170

8 "Oct. 7, Showa 17/1942/

9 "To Kotaro NAKAMURA, Esq., Eastern Area Army Commander.

10 "Concerning P.W. labor condition, I wish to  
11 inform you that I have reported to the ministers of  
12 Home Affairs and the Welfare on the above matter as  
13 per enclosure.

14 "Kaitaro KONDO, Governor of KANAGAWA Prefecture.

15 \* \* \*

16 "Oct. 6, Showa 17 /1942/

17 "To Ministers of Welfare and Home Affairs

18 "Kaitaro KONDO,

19 "Governor of KANAGAWA Prefecture.

20 "Concerning the P.W. labor condition regarding  
21 the above matter, I report that, making necessary  
22 arrangements in accordance with instructions from  
23 the Ministry of Welfare and the Army and after con-  
24 sultation with the commanders of the P.W. camps, we  
25 have started using P.W. labor at KAWASAKI and YOKAHAMA



1 Camps from September 23 and 30, SHOWA 17 /1942/  
2 respectively, in the transportation work at harbors,  
3 etc., and are getting good results as follows:

4 "I. Survey of the P.W. labor condition.

5 "(1) Number interned: KAWASAKI Camp, 293;  
6 YOKAHAMA Camp, 226.

7 "(2) Present main places of labor and kinds  
8 of labor: KAWASAKI Camp: The KAWASAKI pier of the  
9 MITSUI BUSSAN KK./MITSUI Products Co./, the wharf of  
10 the NIPPON KOKAN KK. /NIPPON Steel Tube Mfg. Co./,  
11 the NICHIMAN Warehouse Co., the KAWASAKI Railway  
12 Station, etc. -- unloading of coal, loading and un-  
13 loading of cargo, lathe-men at factories. YOKAHAMA  
14 Camp: Unloading at the YOKAHAMA Harbor and odd jobs  
15 in factories.

16 "(3) No. of laborers: KAWASAKI Camp: From  
17 Sept. 23 to Oct. 6 -- Total number 1,010. YOKAHAMA  
18 Camp: From Sept. 30 to Oct. 6 -- Total number 607.

19 "(4) Working efficiency. The working  
20 efficiency of PWs as compared with Japanese laborers  
21 is approximately 60-70 percent in special labor such  
22 as coal unloading, but nearly the same in loading and  
23 unloading cargo at railway stations and warehouses.

24 "As regards skilled laborers in factories,  
25 every day ten of them are being tentatively engaged,

1 but a considerable time will be required before they  
2 will display an efficiency equal to that of the  
3 average skilled Japanese workman, as the height of  
4 the machines and other conditions are different.

5 "In general, they are men who have not done  
6 any labor for a considerably long time and it is  
7 considered that when they get used to the Japanese  
8 workmen their efficiency will increase.

9 "II. Effects of P.W. labor upon business  
10 proprietors.

11 "(1) As regards transporting labor at  
12 harbors there had been a shortage of labor and wages  
13 were liable to soar with evil effects on getting  
14 laborers and on the smooth operation of transportation  
15 of goods. It is generally admitted by all the business  
16 proprietors alike that the use of P.W. labor has made  
17 the systematic operation of transportation possible  
18 for the first time, and has not only produced a great  
19 influence in the business circle, but will also con-  
20 tribute greatly to the expansion of production,  
21 including munitions of war, and the execution of  
22 industry.

23 "III. Effects of P.W. labor on Japanese  
24 laborers.

25 "(1) Effects on laborers who have hitherto



1 worked diligently.

2 "The laborers who have hitherto worked  
3 diligently and had comparatively good working records,  
4 are making still better working records, as P.W.  
5 labor seems to stimulate them, intensifying their  
6 pride as a Japanese and rousing their fighting spirit  
7 not to be outdone by PWs.

8 "(2) Effects on laborers who have hitherto  
9 been unsatisfactory.

10 "The workmen engaged in transportation labor  
11 at harbors, in the past, had been particular about  
12 their work. Consequently it was usual for approxi-  
13 mately ten percent of them not to get to work. But  
14 since the use of P.W. labor alleviated in some measure  
15 the labor shortage, Japanese workmen have been obliged  
16 to report to the gathering spot earlier than before  
17 in the morning, for if not, they may be unable to get  
18 jobs. Thus, they are getting accustomed to gather  
19 an hour earlier in the morning and get to work of  
20 their own accord. Moreover, those intermediaries,  
21 who in the past had wilfully not gathered the number  
22 of workmen demanded by the business proprietors, and  
23 thus planned to seek higher wages, have recently been  
24 prudent and show a tendency to get the laborers to  
25 work.

"IV. Effect of P.W. labor on the public.

1 "In view of the necessity of observing  
2 secrecy, the treatment of PWs is made doubly sure by  
3 making assistant guards take a certain oath. Though  
4 the public has not been informed of PW labor, those  
5 who have guessed about it from seeing them on their  
6 way to and from the place of labor and their camps,  
7 seem to realize with gratitude the glory of the  
8 Imperial Throne, seeing before their eyes English  
9 and American PWs at their labor. A considerable  
10 influence seems to have been exercised over the  
11 people of this prefecture, many of whom had been  
12 considerably pro-Anglo-American. They seem to be  
13 receiving a fairly strong stimulus seeing before  
14 their eyes the position they, too, might be placed  
15 in, if they should be defeated in the war. Thus, it  
16 can be observed that a satisfactory effect is being  
17 exerted on their determinations not to be defeated  
18 in war, whatever happens, and furthermore on the  
19 promotion of the general spirit of labor."

20 Duly certified and witnessed.

21 I desire to have marked for identification  
22 prosecution document No. 580-A and introduce the  
23 marked excerpts therefrom in evidence.  
24

25 THE PRESIDENT: Admitted on the usual terms.



1 CLERK OF THE COURT: Prosecution's document  
2 No. 580-A will receive exhibit No. 1970 for identi-  
3 fication only and the excerpt therefrom bearing  
4 the same document number will receive exhibit No.  
5 1970-A.

6 (Whereupon, the document above  
7 referred to was marked prosecution's exhibit  
8 No. 1970 for identification only; the excerpt  
9 therefrom being marked prosecution's exhibit  
10 No. 1970-A and was received in evidence.)

11 MR. WOOLWORTH: (Reading)

12 "INQUIRY CONCERNING THE QUESTION OF MAKING  
13 AVAILABLE THE MANCHURIAN MACHINE TOOL CO. FOR A RAPID  
14 INCREASE IN AIRCRAFT-PRODUCTION."

15 "(The above title is on the same page as the  
16 'han').

17 "KAWAHARA, directed prosecution

18 "KIMURA, Vice-Minister

19 "SUGA

20 "KAWAHARA, senior adjutant officer

21 "YOSHIKUNI (?), chief of 'Shumu Kyoku'

22 "KOJIMA, chief of the Military Affairs Division

23 ITO (?), section chief of rifle & gun section

24 (Juho)

25 OGA, on behalf of the section chief of the

1 Aviation section (Kohon)

2 "MAKI, adjutant officer in charge, paymaster  
3 of the Minister's chamber.

4 "HACHIRI (or YASATO), chief of 'Shumu-Ka'

5 "SEMBA, staff of the 'Shumu-Ka'

6 "YAWAZAKI, P.O.W. Control Division

7 "TSUKANOTO, war preparation

8 "NAKAMURA, Clerk who wrote the draft.

9 "To the Chief of Staff of the Kwantung Army  
10 from the Vice-Minister of War.

11 "For the realization of the urgent organiza-  
12 tion of the aircraft-production, we want to improve  
13 the present capacity of the Manchurian Machine Tool  
14 Co. according to the plan of utilization enclosed  
15 herewith, and to allot a large part of its improved  
16 capacity to the production of machine tools which  
17 are necessary for the urgent organization of the  
18 production of air ordnances, ammunitions and air-  
19 crafts in our country, especially to the production  
20 of special machine tools for mass production, which  
21 are necessary for the expansion of the factory in the  
22 'Nissan' Motor-Car Co. Manufacturing Section, a main  
23 factory of ammunition for aviation automatic gun.

24 "We ask you to take the trouble in order to  
25 realize this plan.



1 "P.S. For caution's sake we add that the  
2 War Ministry is now strenuously trying to help  
3 obtain the high-precision machine tools, expected  
4 to be supplied from Japan, to be used in munition  
5 factories in Manchuria, which are difficult to  
6 manufacture in Manchukuo because of specially high ac-  
7 curacy. Army Secret ASTA No. 3129.

8 "Date 22 August 1942.

9 "The reason for making avail of the  
10 Manchurian Machine & Tool Co. (Manaku Kossku  
11 Kikai Kabushiki Kaisha).

12 "1. Concerning aviation automatic gun, its  
13 ammunition and aircraft which now constitutes the  
14 bottleneck in the production of army munitions, from  
15 the standpoint of making efficient use of labor and  
16 materials, we confine the main manufacturing equip-  
17 ment to the special machine tools for mass production  
18 (especially to automatic machine tools) and are  
19 strenuously trying to enlarge the capacity of the  
20 excellent factories, Governmental as well as private;  
21 on the other hand, however, the producing capacity  
22 of machine tools in our country almost cannot afford  
23 such production of machine tools (for the total  
24 amount of orders given to all factories in the  
25 machine tool industry is Y 2,500,000,000 but the

1 yearly manufacturing capacity is only ¥ 400,000,000).

2 If this present situation were allowed to persist

3 further, the expected plan of preparing for air

4 ordnances and ammunitions would be frustrated and

5 our army air combat strength would be seriously in-

6 fluenced. But, on the contrary, although the

7 Manchurian Machine Tool Co. is equipped with more

8 than 600 units of metal-working machines yet a large

9 part of them are the imported excellent ones (on

10 scale it is two or three times as large as a first-

11 class machine tool factory in Japan) it has not yet

12 been able to develop its full ability by miscellan-

13 eous reasons, for example, its geographical situation

14 or its business and yet now has a great reserve

15 capacity occupying the last key position in the

16 machine industry in the sphere under the influence

17 of Japan. We ask you to utilize its full potential

18 capacity in order to cooperate with the rapid pro-

19 duction of aircraft and air ordnances."

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Next, page 5:

"(d) 'Help to the use of PW's as a means of filling up vacancies.'

"At present the Manchurian Machine Tool Co. is extremely lacking in the number of workers for its capacity and it is most necessary to supply workers immediately.

"A prompt supply of Manchurian workers is most desirable cannot be expected, the company is now planning on a large scale to use many prisoners of war as workers in the factory and we shall render every help to the realization of this plan so far as your army and Manchukuo have no objection to it. In this plan the number of PW's wanted is according to the classification of the work as follows:

"THE KIND OF WORK -- Machine Examiner --  
NUMBER 65."

THE PRESIDENT: Why read all those?

MR. WOOLWORTH: The total is 1500, total prisoners of war.

Page 6, paragraph 3, third sub-paragraph:

"The urgent necessity of great many machine tools for aircraft production is preferentially carried out compared with the demands from the branch of general ordnance and expansion of producing capacity."

1 To supply demands from the two companies we shall  
2 make every effort, in order to alleviate the in-  
3 fluence, rising from the decrease of the expected  
4 production amount of the two companies for the Man-  
5 churian Machine Tool Co."

6 Page 7:

7 "Army Secret Asia General Order first of  
8 No. 7991. Translation of telegram. Telegram Kwan-San-  
9 Man Don/710. Date: 9 September 1942.

10 "To the Vice Minister of War from the Chief  
11 of Staff of the Kwantung Army.

12 "As the technician shortage in Manchuria  
13 makes it essential to use 1500 prisoners of war in the  
14 plan for utilizing the Manchurian Machine Tool Co.  
15 for rapid increase in aircraft production dealt with  
16 in No. 3,129-Army Secret Asia, we intend to open an  
17 internment camp and ask you to inform us as soon as  
18 possible the time of their being transferred to  
19 Manchuria and the number, etc.

20 "Considering the necessity to establish  
21 a camp before winter, we wish the transfer of prisoners  
22 to Manchuria as soon as possible.

23 "P. S. We expect to inform you of the  
24 opening of a camp later on.

25 "Translation of Telegram. Date: 29 September



1 1942.

2 "To the Chief of the Bureau of Military  
3 Affairs from the Chief of Staff of the Kwantung Army."

4 "Kwantung-Staff-Manchurian Telegram No. 746.

5 "Bureau of military affairs. Telegram No.  
6 1,010. Answer.

7 "We are ready to intern about 1,500 prisoners  
8 of war from the South Sea in empty barracks at MUKDEN  
9 (PEITAYING) and intend to make the necessary prepara-  
10 tion for a permanent camp this winter and to complete  
11 it next spring.

12 "Taking consideration of such conditions, we  
13 expect you to transfer prisoners of war as soon as  
14 possible.

15 "P. S. We hope you will indicate to us the  
16 intention of the Central Department on the treatment of  
17 prisoners.

18 "(Penciled remark): We will send you the  
19 detailed indication when the POW's are temporarily  
20 accommodated.

21 "Due to the incident at Lisbon, for the  
22 present 500 POW's from Philippine and 100 from Korea  
23 are expected."

24 The usual certificate of authenticity.

25 The prosecution desires to introduce document

1 No. 668A.

2 THE PRESIDENT: Mr. Levin.

3 MR. LEVIN: Mr. President, I would like to  
4 inquire from the prosecution what is the purpose of  
5 offering this document in evidence. If it is merely  
6 to indicate the use of prisoners of war, I have no  
7 objection to the introduction of this document in  
8 evidence. If it is for the purpose of placing re-  
9 sponsibility, I object to it because the evidence  
10 already offered indicates the responsibility for the  
11 use of prisoners of war.

12 THE PRESIDENT: If it is admitted on either  
13 ground it can be used on both. Once a document has  
14 been admitted in evidence, no matter on what ground,  
15 it can be employed on any issue to which it is rele-  
16 vant. That is the rule, Mr. Levin. It seems to be  
17 admissible on one if not on both grounds; I would say  
18 on both grounds. It is not cumulative simply because  
19 it adds to evidence already heard on the question of  
20 responsibility.

21 MR. WOOLWORTH: I desire to have marked for  
22 identification prosecution document No. 668A, and  
23 introduce in evidence the excerpts therefrom contained  
24 in 668A.  
25

THE PRESIDENT: Admitted on the usual terms.



1 CLERK OF THE COURT: Prosecution document  
2 No. 668A will receive exhibit No. 1971 for identifi-  
3 cation only, and the excerpts therefrom, bearing the  
4 same document number, will receive exhibit No. 1971A.

5 (Whereupon, the document above re-  
6 ferred to was marked prosecution's exhibit  
7 No. 1971 for identification, and the excerpts  
8 therefrom were marked prosecution's exhibit  
9 No. 1971A and received in evidence.)

10 MR. WOOLWORTH (Reading):

11 "FOREIGN AFFAIRS MONTHLY REPORT, SEPTEMBER,  
12 1942. Published by Foreign Section of the Police  
13 Bureau of Home Ministry.

14 "THE EMPLOYMENT OF WAR PRISONERS (Page 58).

15 "1. Recent condition of the demand and supply  
16 of labor in Japan and the decision on the principles  
17 of employing war prisoners.

18 "The labor shortage problem in Japan has  
19 become quite acute, becoming more and more serious  
20 recently. In order to meet this situation, many  
21 people are of the opinion that we had better employ,  
22 when necessary, the war prisoners who are now interned  
23 as Zentsuji, or at places in the south as a result of  
24 our success in the Greater East Asia War.

25 "As a result, the Cabinet Planning Board

entrusted by the Army Administrative Department for War Prisoners, held a conference on August 15 regarding the transfer of war prisoners to Japan proper and their employment. At this conference the following principles were discussed and decided to be carried out, in order to transfer war prisoners to Japan and employ them to mitigate the labor shortage and to carry out special important work:

"I. Of the industries in the National Mobilization Plan, war prisoners shall be employed for mining, stevedoring and engineering and construction work for national defense. For the time being, war prisoners shall be employed in stevedoring in important ports.

"II. For the time being, some 3,500 war prisoners shall be sent to Japan. According to results, the number shall be increased later.

"III. The formalities regarding the employment of war prisoners was arranged by Prefectural Governors through the Welfare Ministry.

"IV. In the prefectures, the Prefectural Governor, or the labor management organization appointed by the Governor, may, with the consent of the Army, make plans and take charge of the employment and supervision of war prisoners at the place of labor.



1 "V. Prisoner of war camps for stevedores to  
2 be brought to Japan for the present, following this  
3 plan, will be set up as follows:

4 "Tokyo, 600 persons; Yokohama, 600 persons;  
5 Osaka, 600 persons; Kobe, 500 persons; Hirohata, 100  
6 persons; Moji, 500 persons; Tobata, 500 persons;  
7 Muroran, 300 persons.

8 "2. Employment of war prisoners in the  
9 Zentsuji Internment Camp.

10 "Before the above plan was set up, part of  
11 the war prisoners interned in the Zentsuji Internment  
12 Camp were already employed as laborers. That is, at  
13 this Zentsuji Prisoner of War Camp which was opened on  
14 January 14, about 450 American prisoners of war, etc.  
15 from Guam, had been interned, of which 150 Americans  
16 were sent to Osaka on June 9, interned at the City  
17 Gymnasium at Yawatayamatsuno-cho, Minato-ku, Osaka,  
18 and had been working as stevedores since June 12.  
19 The outline of their working condition is as follows:  
20 They work eight hours per day, engaged in simple  
21 stevedoring work; as for efficiency in handling light  
22 loads, they do not show much difference compared with  
23 the Japanese laborers, but in handling heavy loads,  
24 or in work requiring skill, their efficiency is very  
25 low. As for their wages, the Osaka District Harbor

1 Transportation Stevedoring Control Office collects  
2 two yen per person per day from the direct employers  
3 of the war prisoners. The money is either handed in  
4 to the Army, used for the expenses of the prisoners of  
5 war recreation equipment, or for national defense  
6 offerings and general expenses.

7 "The comparatively cheap wage has called  
8 the attention of men in the trade to the advantage of  
9 using the prisoners of war, and is helping to increase  
10 the demand for their employment. The employment of  
11 war prisoners, as stated above, has resulted in  
12 controlling the rise of black market wages of long-  
13 shoremen, improving the efficiency of work, preventing  
14 longshoremen in the regular employ from being scattered,  
15 etc.

16 "Also, at the Takamatsu branch of the Nippon  
17 Transportation Company, located at 21, 4-Chome, Shin-  
18 minato-cho, about twenty prisoners of war interned  
19 in the Zentsuji Prisoner of War Camp were employed  
20 daily from August 22 for about a month in the Takamatsu  
21 Station for stevedoring to speed up the transportation  
22 of materials in war-time, with satisfactory results."

23 The prosecution desires to have marked for  
24 identification document No. 706A, "Monthly Reports of  
25 the Secret Service Police -- August," and desires to



1 introduce in evidence the excerpts therefrom.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution document  
4 No. 706A will receive exhibit No. 1972 for identifica-  
5 tion only, and the excerpts therefrom will receive  
6 exhibit No. 1972A.

7 (Whereupon, the document above re-  
8 ferred to was marked prosecution's exhibit  
9 No. 1972 for identification, and the excerpts  
10 therefrom were marked prosecution's exhibit  
11 No. 1972A and received in evidence.)

12 MR. WOOLWORTH: (Reading)

13 "Monthly Reports of the Secret Service  
14 Police -- August, 1942 - page 206.

15 "2. A Plan to Use Prisoners of War as a Result  
16 of Labor Shortage.

17 "Owing to the good results obtained by  
18 150 American prisoners of war at Zentsuji Prisoner of  
19 War Camp who had been sent to Osaka in order to engage  
20 in laboring works as a neutralizing measure for labor  
21 shortage suffered in the military works and harbor  
22 equipment, the enterprising circles who were suffer-  
23 ing from the labor shortage at several districts  
24 around Tokyo and Hyogo, Fukuoka and Nagasaki Pre-  
25 fectures, applied to the military authorities to allow

1       them to use the prisoners of war as follows:

2               "(1) Under Hyogo Prefecture, the companies  
3       engaging in the stevedore business at Kobe Harbor and  
4       Hirohata ports for the works of the Nittetsu and  
5       Nippon Steel Works, are applying to the military  
6       authorities for the use of 680 prisoners of war.

7               "(2) Under Fukuoka Prefecture, the companies  
8       engaging in loading and unloading coal in the port of  
9       Hoji desiring to use the prisoners of war for their  
10      requirements, asked the Chief of the Hoji Police  
11      Office in the district concerned for his good offices.  
12      Apart from this it was decided to distribute 1,000  
13      prisoners of war in consideration of the acute labor  
14      shortage in the stevedore business at the harbors in  
15      Northern Kyushu.

16              "(3) Under the Nagasaki Prefecture it was  
17      already decided to distribute respectively 2,000  
18      prisoners of war for the Mitsubishi Dock Yard and  
19      1,000 for the Kayaki-Jima Dock Yard as they had se-  
20      cured permission from the authorities.

21              "(4) Under the areas in the jurisdiction  
22      of the Metropolitan Police Bureau, permission has  
23      already been secured to use prisoners of war for  
24      unloading freights at Shibaura, and for this purpose  
25      it was decided that 400 British prisoners of war be



1 transferred from Malay districts shortly. Although  
2 the direct guarding and direction for prisoners of  
3 war engaged in work in the country are taken charge  
4 of by the military authorities, the responsibility for  
5 directing and controlling anti-espionage and other  
6 matters in regard to the people living in the dis-  
7 tricts where the prisoners of war are working, should  
8 be taken care of by the police office. Accordingly,  
9 in case of the realization of the above mentioned plans,  
10 it is necessary for the police officers to direct and  
11 control the people properly in cooperation with the  
12 authorities concerned."

13 THE PRESIDENT: We will recess for fifteen  
14 minutes.

15 (Whereupon, at 1445, a recess was  
16 taken until 1500, after which the proceedings  
17 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The Tribunal is now  
2 resumed.

3 THE PRESIDENT: Colonel Woolworth.

4 MR. WOOLWORTH: Prosecution desires to  
5 introduce in evidence document No. 980-A, which is  
6 a telegram addressed to the Minister of War from the  
7 Chief of Staff of the Korean Army.

8 THE PRESIDENT: Admitted on the usual terms.

9 CLERK OF THE COURT: Prosecution's document  
10 No. 980-A will receive exhibit No. 1973.

11 (Whereupon, the document above  
12 referred to was marked prosecution's exhibit  
13 No. 1973 and received in evidence.)

14 MR. WOOLWORTH: (Reading) "Riku-a-Mitsu-ju  
15 (Army-Asia Secret, Received) No. 1910.

16 "Received by the Army Secretariat - p.m.,  
17 4 March 1942. Military Affairs Section.

18 "1 March 1942, Secret Telegram 2-28.  
19 Sent: 1550 hours. Received: 1710 hours.

20 "Cho-san-den (Operations Department - Korean  
21 Army) No. 518. Addressed to Vice-Minister of War.  
22 From the Chief of Staff of the Korean Army.

23 "As it would be very effective in stamping  
24 out the respect and admiration of the Korean people  
25 for Britain and America, and also in establishing in



1 them a strong faith in victory, and as the Governor-  
2 General and the Army are both strongly desirous of it,  
3 we wish you would intern 1,000 British and 1,000  
4 American prisoners of war in Korea. We wish you would  
5 give us special consideration regarding this matter.

6 "Furthermore, the buildings that may  
7 be used for internment camps are two theological  
8 schools in Seoul and a Foreigner's School and a  
9 theological school in Heijo. Details will be concretely  
10 reported to you after we are informed of the intentions  
11 of the Central Authorities regarding internment of  
12 prisoners of war."

13 \* \* \* \* \*

14 "Receipt Number: Amitsu 1910. From: Korean  
15 Army. Subject: The internment of prisoners of War in  
16 Korea. Term of Preservation: Permanent. Approved by:  
17 The Minister of War. Executed by: KAWAHARA (Seal).

18 "Draft of Vice-Minister's reply to the Chief  
19 of Staff of the Korean Army (Riku-a-Mitsu-den)  
20 (Army-Asia-Secret Telegram).

21 "Subject: Internment of Prisoners of War  
22 referred to in Cho-San (Korean Army Operations Depart-  
23 ment) Telegram No. 518.

24 "About 1,000 white men are scheduled to be  
25 sent to Fusan. Details will be reported to you later.

"Furthermore, are not the buildings scheduled to be allotted for the accommodation of prisoners of war referred to in your telegram, too good for prisoners? Please draw up full plans after investigation and inform us."

"Riku-a-Mitsu-den (Army-Asia-Secret-Tel) No. 149. 376. 5 March 1942."

\* \* \* \* \*

"Cho-San-Mitsu-475-Report regarding plans for the internment of prisoners of war in Korea."

"From: Commander in Chief of the Korean Army, Seishiro ITAGAKI."

"To: Minister of War, Hideki TOJO."

"Date: 23 March 1942."

"Regarding the subject matter referred to in Riku-a-Mitsu-den (Army, Asia - Secret Telegram No. 149) dated 5 March 1942, I make report to you as per separate paper."

"Plans of the Korean Army for the Internment of Prisoners of War."

"1. Purpose: It is our purpose by interning American and British prisoners of war in Korea, to make the Koreans realize positively the true might of our Empire as well as to contribute to psychological propaganda work for stamping out any ideas of worship

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put into force:

"The  
"(1) Prisoners, with the exception of  
warrant officers and above, will be used in various  
sorts of work in the principal cities of Korea,  
especially where psychological conditions are not good



1           "Furthermore, are not the buildings scheduled  
2 to be allotted for the accommodation of prisoners of  
3 war referred to in your telegram, too good for  
4 prisoners? Please draw up full plans after investi-  
5 gation and inform us."

6           "Riku-a-Mitsu-den (Army-Asia-Secret-Tel)  
7 No. 149. 376. 5 March 1942."

8           \* \* \* \* \*

9           "Cho-San-Mitsu-475-Report regarding plans for  
10 the internment of prisoners of war in Korea.

11           "From: Commander in Chief of the Korean  
12 Army, Seishiro ITAGAKI.

13           "To: Minister of War, Hideki TOJO.

14           "Date: 23 March 1942.

15           "Regarding the subject matter referred to  
16 in Riku-a-Mitsu-den (Army, Asia - Secret Telegram  
17 No. 149) dated 5 March 1942, I make report to you as  
18 per separate paper.

19           "Plans of the Korean Army for the Internment  
20 of Prisoners of War.

21           "1. Purpose: It is our purpose by interning  
22 American and British prisoners of war in Korea, to make  
23 the Koreans realize positively the true might of our  
24 Empire as well as to contribute to psychological pro-  
25 paganda work for stamping out any ideas of worship

1 of Europe and America which the greater part of Korea  
2 still retains at bottom.

3 "2. The location and the number of men to be  
4 interned:

5 "The first internment camp:

6 "Location: Seoul (the former Iwamura Silk  
7 Reeling Warehouse will be reconstructed and extended).

8 "Number of men to be interned: About 500.

9 "The second internment camp:

10 "Location: Jinsen-fu (Military barracks).

11 "Number of men to be interned: About 500.

12 "Plans for equipping these camps will be  
13 submitted separately.

14 "3. Supervision: Prisoner of war camps for  
15 Korea shall be supervised by the Commander in Chief of  
16 the Korean Army. The organs for the care of the  
17 internees shall be as provided separately.

18 "4. Term of internment: From the time of  
19 the arrival of the prisoners of war up to the termina-  
20 tion of the Greater East Asia War.

21 "The main points to be put into force:

22 "(1) Prisoners of war, with the exception of  
23 warrant officers and above, will be used in various  
24 sorts of work in the principal cities of Korea,  
25 especially where psychological conditions are not good.



1 in order to achieve the ends mentioned under I.

2       "(2) The equipment of internment camps will  
3 be cut to the minimum necessary for insuring that daily  
4 life as a whole may be led without inconvenience.

5       "(3) Rations for the prisoners of war will  
6 be the same as that of the Japanese army, but at times  
7 they may be supplied with food which they are used to.

8       "(4) Internment, supervision and guarding of  
9 prisoners should be carried out so as to leave nothing  
10 to be desired.

11       "NOTE: If the prisoners of war arrive before  
12 the above-mentioned camps are completely equipped,  
13 they will temporarily be interned in the Fusan Military  
14 Barracks."

15               \* \* \* \* \*

16       "A-Mitsu (Asia-Secret) No. 1910 - Part II.

17       "Received: Army Secretariat, April 23, 1942.

18       "Received: War Prisoners Management Depart-  
19 ment - May 2, 1942 - Receipt No. 31.1.

20       "Received: Military Affairs Section, War  
21 Ministry - April 23, 1942 - Receipt No. 409.

22       "Received: Construction Section, War  
23 Ministry - April 27, 1942.

24       "Secret Telegram: Sent: 1255 hours, April 22.

25       "Received: 1345 hours, April 22.

1 "Cho-san-den (Korean Army Operational Section  
2 Telegram) No. 100.

3 "To: Vice-Minister of War. Sender: Chief  
4 of Staff, Korean Army.

5 "We have received your telegram (ho-kan-den -  
6 War Prisoners Management Section Telegram) No. 3  
7 dated April 21, to the effect that about 1,000 white  
8 prisoners of war are scheduled to be sent to Korea in  
9 the middle of June, and therefore request you to take  
10 the trouble of giving us permission immediately  
11 regarding that part of our plans for the internment of  
12 war prisoners submitted to the War Minister as per  
13 telegram (Cho-san-mitsu, Korean Army Operations  
14 Department, Confidential) No. 485, dated 23 March.

15 "Regarding details, the Chief of our Intendence  
16 Department has already filed application dated March 20.

17 "NOTE: This matter has already been disposed  
18 of by the Distribution Section, April 26."

19 Follows the usual certificate of authenticity.

20 I desire to introduce in evidence document  
21 No. 977-A, which is a draft of notice to the Commander  
22 in Chief of the Southern Area Army, dated 16 May 1942.

23 THE PRESIDENT: Admitted on the usual terms.

24 CLERK OF THE COURT: Prosecution's document  
25 No. 977-A will receive exhibit No. 1974.



1                   (Whereupon, the document above  
2 referred to was marked prosecution's exhibit  
3 No. 1974 and received in evidence.)

4           MR. WOOLWORTH: (Reading) "In regard to the  
5 delivery of prisoners of war to the Formosan Army and  
6 the Korean Army, Receipt No. Rikua Mitsu Uke No. 4502,  
7 Originating Section, War Affairs Section (of Military  
8 Affairs Bureau) to the Commander in Chief of the  
9 Southern Area Army.

10           "Draft of Notice to the Commander in Chief  
11 of the Southern Area Army - Rikua Mitsuden No. 481,  
12 16 May 1942.

13           "Between May and August the white prisoners  
14 of war at Singapore should be handed over as follows:

15           "1. About 2,400 prisoners of war should be  
16 handed over at Takeo to the Formosan Army. The  
17 following prisoners should be handed over:

18           "High-ranking officers whom it is not suitable  
19 to keep locally.

20           "Skilled technicians who are not needed  
21 locally.

22           "Ordinary troops and some low-ranking  
23 officers to supervise them.

24           "2. About 1,100 prisoners of war should be  
25 handed over at Fusan to the Korean Army. The following

prisoners should be handed over:

1 "Ordinary troops and some low-ranking officers  
2 to supervise them.

3 "With respect to their transportation, consult  
4 with the Commander of Shipping Transportation who has  
5 been confidentially notified already.

6 "(Translator's Note: The above bears seal  
7 of Vice-Minister of War KIMURA, among others.)"

8 \* \* \* \* \*

9 "Draft of Notice to the Commanders in Chief  
10 of the Formosan Army and the Korean Army, Rikua Mitsu  
11 No. 1631, 16 May 1942.

12 "Between May and August you will receive the  
13 following white prisoners of war now interned at  
14 Singapore.

15 "The organization of the prisoner of war  
16 camps will be decreed shortly. We shall, accordingly,  
17 give you separate instructions regarding their  
18 internment.

19 "Particulars.

20 "To the Formosan Army - about 2,400.

21 "To the Korean Army - about 1,100."

22 There is the usual certificate of authenticity.

23 Prosecution desires to introduce in evidence  
24 document No. 650-A, the report from the Chief of Staff,  
25



1 Korean Army, 1942.

2 THE PRESIDENT: Admitted on the usual terms.

3 CLERK OF THE COURT: Prosecution's document  
4 No. 650-A will receive exhibit No. 1975.

5 (Whereupon, the document above  
6 referred to was marked prosecution's exhibit  
7 No. 1975 and received in evidence.)  
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MR. WOOLWORTH: (Reading)

"REPORT FROM CHIEF OF STAFF, KOREAN ARMY, 1942

"Strictly Confidential

"Riku-a-Mitsu ju (Army-Asia Confidential, received)

No. 10133.

"Received: Army Secretariat, a.m., 18 August 1942.

"Received: Army Service Section, War Ministry,

20 August 1942, Receipt No. 629.

"Received: Military Affairs Section, War Ministry,

19 August 1942, Receipt No. 1042.

"Received: Information Department, War Ministry,

22 August 1942, Receipt No. 454.

"Received: War Prisoners Supervision Department,

27 August 1942.

"Cho-san-Mitsu (Korean Army Operations Department)

No. 2029

"Subject: Reactions among the general public following internment of British prisoners of war.

"From: Chief of Staff of the Korean Army, IBARA,

Juniro - 13 August 1942.

To: Vice-Minister of War, KIMURA, Hyotaro.

"Subject matter submitted as per separate sheets.

"Submitted to: Army General Staff Headquarters  
and the War Ministry (Two copies



respectively)

"Reactions Among the General Public Fol-  
lowing Internment of British Prisoners  
of War"

"1. The General View

"The arrival of 998 prisoners captured in Malaya had so great an effect upon the people in general, especially upon the Koreans, that about 120,000 Koreans and 57,000 Japanese by-standers lined the roads of Fusan, Seoul and Jinsen to see the prisoners of war being transported.

"Many of them sneered at the disgraceful behavior and utter indifference of the British displayed before their very eyes by the prisoners and thought it quite natural that an army so lacking in patriotism should be defeated by the Imperial Army, and realized afresh the victory gained by the Imperial Army. They also expressed their feeling that any ideas of admiration for the British and Americans must be thoroughly swept away. Many of them confessed their happiness of being subjects of the Empire and expressed their resolve to carry through the Greater East Asia War.

"Worthy of special mention is the fact that Koreans clearly recognized the fact that they

1 are directly participating in the Greater East Asia  
2 War when they saw the Korean guards. As a whole,  
3 it seems that the idea was very successful in  
4 driving all admiration for the British and Ameri-  
5 cans out of their minds and in driving into them  
6 an understanding of the situation.

7 "The most conspicuous part of their speech  
8 and actions were as follows, and, as the effect of  
9 propaganda gradually tells upon them when the  
10 prisoners are put to labor, we may expect much  
11 greater results which will contribute greatly toward  
12 ruling Korea.

13 "NOTE: For the time being reports, etc.  
14 concerning the prisoners of war  
15 will not be permitted for publica-  
16 tion in newspapers in accordance  
17 with the policies of the central  
18 authorities.

19 "2. Speech and actions of the by-standers which  
20 were most conspicuous:

21 "(1) The Koreans:

22 "a. "When I saw young Korean soldiers,  
23 members of the Imperial Army, guarding  
24 the prisoners, I shed tears of joy.  
25 I was so moved by the sight that I



almost felt like shouting to those  
who were not aware of the fact:

"Look! Peninsula Youths are guarding  
the British prisoners!"

"b. 'Although those who are concerned with  
Christianity have not been able to  
drive out completely their admiration  
for foreign ideas due to the fact that  
their leaders have been British or  
Americans, yet when they saw the  
prisoners they felt pride in being  
Japanese and were strongly moved by  
the idea that they must establish a  
Japanese Christianity'

"c. 'We must not be defeated, even if we  
have to live on water. When I saw  
the prisoners, I felt happiness and  
pride in being a Japanese'

"d. 'It seems like a dream to see the  
British and Americans, who used to make  
light of us and thought us an inferior  
people, as prisoners. Koreans, too,  
have felt pride in being Japanese.  
Their feelings have completely  
changed.'

1 "e. 'It is easy to see that they lack  
2 patriotism just by watching them  
3 whistling so indifferently. They are  
4 absolutely slovenly.'

5 "f. 'When we look at their frail and un-  
6 steady appearance, it is no wonder  
7 that they lost to the Japanese forces.'

8 "g. 'When I saw the prisoners right in front  
9 of my eyes, I felt that we must win  
10 the war. Instead of sneering at them,  
11 we should be making more effort our-  
12 selves.'

13 "h. 'I used to hear about and see the  
14 victories gained by the Imperial Forces  
15 through the newspapers and newsreels,  
16 but with some feeling of doubt. When  
17 I saw the prisoners I realized that  
18 the reports were not false.'

19 "i. 'I wish every Korean were given the  
20 opportunity to see the prisoners so  
21 that they can really feel the happiness  
22 of being a Japanese'

23 "j. 'The war is being prolonged on their  
24 account. They should be worked to  
25 death.'



1 "k. 'Thanks to our soldiers we are able to  
2 lead life so leisurely compared to the  
3 wretched state of the prisoners.'

4 "(2) The Japanese:

5 "a. 'Their spiritual state is pitiful.  
6 They feel no shame in being exposed to  
7 public show. Nothing is more pitiful  
8 to see than a people with no sense of  
9 shame.'

10 "b. 'When we observe the disgraceful be-  
11 havior of the prisoners we feel keenly  
12 the happiness of being a Japanese and  
13 also that we must win the war. We  
14 should not complain of such trifles as  
15 shortage of goods.'

16 "c. 'We can still find something arrogant  
17 in their attitude. We must treat them  
18 with the firmness of a victorious  
19 nation.'

20 "d. 'Some of the Koreans entertained mis-  
21 givings regarding the true might as  
22 well as the victories of our Empire,  
23 but they can have no such doubts now  
24 after they have seen the defeated  
25 prisoners.'

1 "e. 'We can never afford to be defeated.  
2 We must fight to victory. We shall  
3 fight to the last.'

4 "(3) The Chinese:

5 "a. 'When I actually saw the true might of  
6 Japan, my confidence in her became  
7 greater. Thanks to Japan we are able  
8 to get along comfortably and engage in  
9 our business peacefully.'

10 "b. 'The miserable figures of the prison-  
11 ers themselves symbolize the fall of  
12 Britain. We Chinese should place fur-  
13 ther confidence in Japan and work  
14 harder to set up a new East Asia.'

15 "(4) The French:

16 "a. 'It makes us feel ashamed to see the  
17 prisoners being sent to Korea, for  
18 they are westerners, the same as us.  
19 Japan's might is truly astonishing.'

20 "b. 'If there are any among them from the  
21 British Isles, I believe they must be  
22 ashamed of themselves. I feel sorry  
23 for them.'

24 "(5) The Germans:

25 "a. 'We have been returning inhumanity for



1 British and American inhumanity thus  
2 far. We hope you will be cruel to  
3 them.'

4 "(6) The White Russians:

5 "a. 'They whistle and don't seem to care  
6 a bit. It seems that being a prisoner  
7 of war is no disgrace to them. The  
8 clothes that they wear are ragged and  
9 not uniform and their physique is  
10 poor. That is why they are losing  
11 the war.'

12 "3. The Speech and Actions of the Prisoners.

13 "It looks as though they have all resigned  
14 themselves to fate. They are as a whole submissive.  
15 They observe the rules and regulations well and are  
16 grateful for the fair treatment they are receiving  
17 in the hands of the Japanese Army. Some of them are  
18 astonished at the superiority of the Japanese forces.

19 "Immediately after arrival, we succeeded  
20 in making them all take oath. But for all that, we  
21 can still see arrogance in their attitude and some  
22 of them openly say that final victory remains with  
23 Britain. Some of them make a show of themselves by  
24 claiming that being a prisoner is an honor which a  
25 subject can do to his fatherland. All of them

1 believe that the United States will help them gain  
2 final victory. Unaware of the great victories of  
3 the Imperial Forces, they blindly believe in the  
4 material power of the United States and from the  
5 bottom of their hearts they are waiting for the  
6 victory of their fatherland."

7 Prosecution's document No. 979-A I desire  
8 to introduce in evidence, being the report of the  
9 provisions in regard to the Korean prisoner of war  
10 internment camps.

11 THE PRESIDENT: Admitted on the usual  
12 terms.

13 CLERK OF THE COURT: Prosecution's docu-  
14 ment No. 979-A will receive exhibit No. 1976.

15 ("Hereupon, the document above  
16 referred to was marked prosecution's  
17 exhibit No. 1976 and received in evidence.)

18 MR. WOOLWORTH: It appears on the face of  
19 this document as follows:

20 "Very Secret

21 "Received By the War Ministry

22 "Army Asiatic Bureau Confidential Receipt  
23 (RIKUANITSU) Asia Army Confidential No. 8593

24 "War Ministry Showa September 9,  
25 1942 a.m. Secretariat



1 "War Ministry September 9, 1942 #896  
2 War Affairs Section

3 "MILITARY Korea General Staff Confidential  
4 No. 1787 Report of the Regulations concerning  
5 the prisoner of war internment camps in Korea.

6 "Control Section of POW"

7 "SAITO September 4, 1942

8 "Commander of Korean Army ITAGAKI  
9 Seishiro

10 "Minister of War TOJO, Hideki, Esq."

11 The date September 14.

12 "Commander of Korea Army

13 "War Ministry September 10, 1942 Control  
14 Section of POW."

15 THE PRESIDENT: There is "MAKI" in another  
16 circle.

17 MR. WOOLWORTH: That is correct.

18 "KOREAN ARMY, GENERAL STAFF OFFICE,  
19 SECRET ORDER NO. 1787

20 "Subject: Report of the Provisions in Regards  
21 to the Korean POW Internment Camps.

22 "Date: 4 September 1942

23 "From: Seishiro ITAGAKI, Korean Army Commander

24 "To: Hideki TOJO, War Minister

25 "(I) wish to report the following provisions as

mentioned above:

"Service Regulations of the POW Internment  
Camps in Korea

"Control Regulations of the POW Internment  
Camps in Korea

"Labor Provisions of the POW in Korea

"(Secret) Labor Provisions for the Korean POW.

"September 1, 1942, Korean Army Headquarters

"Art I. The labor of prisoners of war shall be according to not only the labor regulations for POW, treatment regulations for POW, detailed regulations of the same, and supply regulations for POW, but also the present provisions.

"Art II. Not one POW must be left to time in idleness. Allow appropriate labor according to their skill, age, and physical strength, thereby using them in industrial development and military labor.

"Art III All POW including officers shall work. But guide those above warrant officers according to status, ability, and physical strength to work voluntarily on the following:

"1. Labor using engineering and science



- 1 "2. Agriculture
- 2 "3. Breeding of live-stock and poultry.
- 3 "4. Supervision of laboring POW
- 4 "5. The narration of war history material
- 5 "6. Propaganda
- 6 "7. Other types of work recognized

7 suitable

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1 "Art. IV The types of labor to be allotted  
2 to POW are to be decided according to the situation,  
3 but the following are recognized as suitable:

4 "1. Agriculture

5 "2. Engineering (the repair and construction  
6 of roads, railroads, harbors, rivers, and labor on  
7 air fields).

8 "3. Mining.. The development labor of  
9 other materials.

10 "4. The collecting of materials (including  
11 scrap iron), hauling labor and other communications  
12 works.

13 "Art. V. POW may be used for guarding and  
14 other purposes when the burden of the military is  
15 lessened.

16 "Art. VI. Together with avoiding secret work  
17 for the labor of the POW, it is important to guard against  
18 destruction by the POW. If necessary make them give  
19 an oath and establish severe penalties.

20 "Art. VII. When government offices, public  
21 organizations, and companies wish to use the labor  
22 of the POW, applications stating type of labor,  
23 place, time and wages shall be made to the Army  
24 Commander.

25 "Art. VIII. The enforcement of labor of POW,



1 except those specially designated, shall be according  
2 to the plan of the Army Commander. Labor within the  
3 camp shall be enforced according to the discretions  
4 of the Camp Commander.

5 "Art. IX. When it is necessary to station  
6 POW to be used for labor for quite a long time out-  
7 side the internment camp, a temporary labor branch  
8 station shall be established. Its organization shall  
9 be designated as circumstances require.

10 "Art. X. When transportation is necessary  
11 to use prisoners for labor, it shall be according to  
12 military transportation.

13 "Art. XI. When POW are to work outside  
14 the area of the internment camp, the Camp Commander  
15 shall notify the Military Police (Kempei-Tai) and  
16 police station, if necessary confer with the district  
17 administrative offices, and execute necessary measures  
18 from control standpoint of the people of the district.

19 "Art. XII. In the case of the above the  
20 Camp Commander shall decide the direct control and  
21 guarding of the POW. When, for control and guarding,  
22 personnel other than the members and guards of the  
23 camp are found necessary, report to the Army Commander  
24 and receive instructions. But as to guarding during  
25 transportation and when labor branch stations are

1 established, instructions will be given as circum-  
2 stances require.

3 "Art. XIII. The tools and materials to be  
4 used for work shall be prepared by the employers.

5 "Art. XIV. The Camp Commander shall pro-  
6 vide for items in regard to the labor, guarding and  
7 controlling, and other necessary details of the POW  
8 upon conferring with the employers and according to  
9 the POW labor plan received from the Army Commander,  
10 and also shall enforce this strictly and securely.

11 "Art. XV. In the work of the POW organize  
12 operation units and appoint an able instructor, and  
13 endeavor in all ways in the elevation of efficiency.  
14 It is essential that the work does not become a  
15 formality. Therefore, necessary tools and work clothes  
16 (to spare their everyday clothes) may be made available.

17 "Art. XVI. In order to utilize the POW skill  
18 to the advantage, it is necessary that a detailed  
19 investigation of their skill be conducted within the  
20 camp.

21 "Art. XVII. No wages need to be paid for  
22 labor in regards to the control, keeping in order,  
23 and preserving of the camp.

24 "Art. XVIII. The labor of POW of public  
25 organizations and companies shall be according to the



1 following.

2 "1. The employer shall receive supervision  
3 from the Army Commander only in regards to POW laborers.

4 "2. The employer shall formulate POW working  
5 regulations and receive the approval of the Army  
6 Commander, in the case of revision the same is  
7 applicable.

8 "3. When the Army Commander deems it  
9 necessary, he may order the employers to revise the  
10 POW working regulations.

11 "4. The employer shall work the POW ac-  
12 cording to working regulations, in this case the  
13 guarding of the POW shall be the responsibility of  
14 the Camp Commander, the inspection and instruction  
15 of the work shall be conducted by the employer.

16 "5. The employer shall formulate, corres-  
17 ponding to POW supply regulations, (Feb. 20, 1942,  
18 Army Notification No. 8) wage regulations and standing  
19 regulations for raise in wages, submit them to the  
20 Army Commander and receive the approval of the War  
21 Minister. In case of revision the above shall be  
22 applicable.

23 "6. In case of necessity the Army Commander  
24 may order the employer to change the wage regulations  
25 and standing regulations for raise in wages.

1           "7. When Army Commander deems it necessary  
2 he may order the employer in regard to the wages and  
3 the payment in kind to the POW;

4           "8. Measures shall be taken without any  
5 slip in regards to items which require consideration  
6 from the espionage standpoint by mutual consent of  
7 the employer and camp commander. The items decided  
8 upon shall receive the approval of the Army Commander.

9           "Art. XIX. The receipts, disbursements and  
10 safekeeping of the wages and profits obtained from  
11 other labors of the POWs shall be according to the  
12 'POW Labor Regulations' and 'Korean POW Internment  
13 Camp Control Regulations,' and shall be handled by  
14 the accounting official of the internment camp.

15           "Art. XX. The cost of treatment in the case  
16 POWs are injured or become ill because of work shall  
17 be sustained by the employer.

18           "Art. XXI. When the labor of the POWs is  
19 terminated or when the same is of a long length of  
20 time, the camp commander shall make a report at the  
21 end of each month on the situation of the labor of  
22 the POW to the Army Commander.

23           "The items to be reported are approximately  
24 the following:

25           "1. The outline of the enforcement of labor.



1 "2. The main points and cause of the same  
2 between the plan and enforcement which proved con-  
3 trary to expectations.

4 "3. The extent of diligence of the POW (the  
5 progress of work).

6 "4. The psychological tendency of the POW.

7 "5. The difficulties of control and guarding.

8 "6. The situation of health and hygiene..

9 "7. The influence on the people of the  
10 district.

11 "8. Items of liaison between the military  
12 police and district authorities.

13 "9. Opinions for the future.

14 "Art. XXII. The treatment, supply (food)  
15 and housing of the POW shall be appropriate to culti-  
16 vation and maintenance of labor power.

17 "Art. XXIII. Although the required clothing  
18 and quarters of the POW shall be prepared by the Army,  
19 according to the circumstances, the employer may have  
20 to take suitable measures. In either case the working  
21 clothes shall be prepared by the employer."

22 It contains the usual certification of  
23 authenticity.

24 THE PRESIDENT: Do you suggest it is really  
25 necessary or even desirable to read so much from these

1 documents?

2 MR. WOOLWORTH: It might be that in the case  
3 of the last document some might well have been excerpted,  
4 but there were many items in there contrary to the  
5 agreements and assurances of Japan which I thought  
6 the Court should hear.

7 If the Tribunal please, I will aim to read  
8 excerpts whenever it seems feasible to shorten the  
9 reading of these documents.

10 THE PRESIDENT: Well, proceed as you in-  
11 tended for the rest of the day. We have only twenty  
12 minutes.

13 MR. WOOLWORTH: The prosecution desires to  
14 introduce document No. 2733, the "Revision and Adjust-  
15 ment of Cautions on Censorship."

16 THE PRESIDENT: Admitted on the usual terms.

17 CLERK OF THE COURT: Prosecution's document  
18 No. 2733 will receive exhibit No. 1977.

19 (Whereupon, the document above re-  
20 ferred to was marked prosecution's exhibit  
21 No. 1977 and received in evidence.)

22 MR. WOOLWORTH: (Reading) "Revision and  
23 Adjustment of Cautions on Censorship.

24 "20 December 1943.

25 "From: Chief of Information Bureau, War



1 Ministry.

2 "We wish to inform you that as of 20 December  
3 1943 the above is revised and adjusted as follows:

4 "Instructions on news regarding two-grade  
5 promotions for officers and enlisted men is omitted.

6 "Precautionary Matters in Censorship of News  
7 of Prisoners of War.

8 "Domestic reports concerning POW's should  
9 be made mainly to contribute to the raising of the  
10 fighting spirit of the people and to increase and  
11 bolster production; care should be taken to avoid  
12 issuing twisted reports of our fair attitude which  
13 might give the enemy food for evil propaganda and  
14 bring harm to our interned brothers. For this reason,  
15 any reports (including photographs, pictures, etc.)  
16 which come under the following categories are pro-  
17 hibited:

18 "1. Anything which gives the impression  
19 that POW's are too well treated or are cruelly treated.

20 "Example: Any information giving an im-  
21 pression that POW's receive good food without working,  
22 or that labor conditions are extraordinarily good.  
23 Any reports which give an impression of cruel treatment,  
24 such as prisoners being punished or being made to labor  
25 without clothing.

1 "2. Any concrete information concerning  
2 facilities, supplies, sanitary conditions, or other  
3 matters pertaining to living conditions within POW  
4 camps.

5 "3. Any information giving the names of  
6 any location of POW's other than the following, or  
7 indicating their location:

8 HAKODATE	FUKUOKA	PHILIPPINES
9 TOKYO	FORMOSA	MALAY
10 OSAKA	KOREA	JAVA
11 ZENTSUJI	MUKDEN	BORNEO

12 "4. Any report which tells about POW's  
13 who are not yet duly processed into POW camps, especially  
14 their names, military units and places of birth (cap-  
15 tured officers and men of the Chungking Army are ex-  
16 cluded). Example: Any news of the POW expressing  
17 his feeling about the bravery of the Imperial Army  
18 immediately after capture is good, but any information  
19 which describes conditions under which POW investigations  
20 are made or which state the names, birth places, etc.  
21 of POW's and which might tend to adversely affect (?)  
22 is not good.

23 "5. Any reports indicating the capture of  
24 Orientals and the use of them for labor.

25 "6. Any report indicating utilization of POW's



1 for purposes other than common labor.

2 "7. All statements by or impressions from  
3 high ranking POW's (except those specifically authorized  
4 by the War Ministry).

5 "(The rest is omitted.)"

6 There is the usual certificate of authenti-  
7 city.

1 The prosecution desires to introduce docu-  
2 ment No. 1114B. This is the outline for the dis-  
3 posal of prisoners of war according to the change  
4 of situation.

5 THE PRESIDENT: Admitted on the usual terms.

6 CLERK OF THE COURT: Prosecution's document  
7 No. 1114B will receive exhibit No. 1978.

8 (Whereupon the document above refer-  
9 red to was marked prosecution's exhibit No.  
10 1978 and received in evidence.)

11 MR. WOOLWORTH (reading):

12 "Regarding the outline for the disposal of  
13 Prisoners of War according to the change of situa-  
14 tion, a notification, Army-Asia-Secret No. 2257  
15 was made on March 17, by the Vice War Minister, as  
16 follows:

17 "N O T E

18 "As the war situation has become very criti-  
19 cal, I have been ordered to notify you not to make  
20 any blunders in the treatment of Prisoners of War  
21 based upon the attached 'Outline for the Disposal of  
22 Prisoners of War according to the Change of Situation,'  
23 when the havoc of war make themselves felt in our  
24 Imperial Homeland and in Manchukuo.

25 "This sheet is from the Monthly Report on In-  
formation of Prisoners of War (UA 4)



"OUTLINE FOR THE DISPOSAL OF PRISONERS OF WAR  
ACCORDING TO THE CHANGE OF SITUATION

"Policy

"1. Prisoners of War must be prevented by all possible means from falling into enemy hands. For this reason, the location of Prisoner of War Camps shall be changed.

"2. In the event of an enemy attack which leaves no alternative, prisoners of war may be set free.

"Outline

"1. Strengthening of guards for prisoner of war camps (including branch and detached camps - the same hereinafter). Prisoner of war administrative officers shall do their best to strengthen the powers for guarding prisoner of war camps by expanding and completing their facilities to conform with the defense program for their respective districts, and shall also dispatch guards to, or increase guards in, the branch and detached camps when necessary, or designate reinforcement squads, etc.

"The commandants of the camps and their subordinates shall not depend only on external facilities.

1 ties, but shall progressively stimulate the morale  
2 of the prisoners, and at the same time acquire a pro-  
3 found grasp of their psychology and an insight into  
4 their behavior and supervise them so that nothing  
5 untoward will occur in case of emergencies.

6 "2. Transference of Prisoners of War.

7 Judging from conditions such as the intensifying of  
8 enemy air-raids on major points, and enemy landings  
9 on our Empire, both of which will follow the develop-  
10 ments of the war situation, consideration shall be  
11 given to the overall location of prisoners of war.  
12 who, from the viewpoint of defense, shall be trans-  
13 ferred or concentrated at the proper moment.

14 "A. Transfer Programme

15  
16 "1. The camps to be transferred, and the  
17 destination, order and time of transference, etc.  
18 shall be planned by the central authorities, with  
19 due consideration to the opinions of the Army Dis-  
20 trict Commanders.

21 "2. The time for transference shall be  
22 notified by the Central Authorities, but in case of  
23 a sudden change in the situation, transference may  
24 be executed at the discretion of the respective Army  
25 District Commanders.



1 "3. As such transference of prisoners of  
2 war is likely to excite the general public, great  
3 care shall be taken in regard to the time and method  
4 of transference.

5 "B. Regarding Transference and the Utilization of  
6 Labor.

7  
8 "1. As the call for prisoner of war laborers  
9 is increasingly great, even under the present situa-  
10 tion, the destination of the transference shall be  
11 decided only after due consideration of this fact.

12 "2. Prisoners of war may be employed for  
13 maintaining communication lines, so their location  
14 at the proper places is also to be considered.

15 "3. Even in districts where the enemy are  
16 likely to intensify their air-raids or effect landing  
17 operations, the prisoner of war camps will be left  
18 till the last if prisoner of war labor is absolute-  
19 ly necessary in that area to maintain our fighting  
20 power.

21 "The areas in which the camps will remain  
22 to the last will be notified by the central authori-  
23 ties with due consideration to the opinion of the  
24 Army District Commanders. Even in such areas, how-  
25 ever, if attacked by the enemy, the location of the

1 camps will be changed as much as possible, and we  
2 shall not let prisoners of war fall into enemy hands  
3 until we have got some results from them.

4 "C. Concentration of Prisoners of War.

5  
6 "Prisoners of war who are dispersed at  
7 various places for work or working at distant places  
8 must be properly brought together to avoid unexpected  
9 disaster.

10 "3. In case the situation becomes urgent  
11 and there is no time to execute the transference  
12 mentioned above, and if it is really unavoidable,  
13 prisoners of war may be set free. Even in this ex-  
14 tremity, measures shall be taken to transfer all  
15 officers and those who are healthy and strong enough  
16 to work. However, emergency measures shall be taken  
17 without delay against those of antagonistic attitudes,  
18 and we shall hope for nothing regrettable by taking  
19 proper measures to suit the occasion.

20 "4. Utmost care shall be taken that no  
21 harm is inflicted upon the general public by freeing  
22 the prisoners of war.

23 "5. In case emergency measures are to be  
24 taken to suppress plots, riots, revolts, etc. by the  
25 prisoners of war, care shall be taken that they are



1 not utilized for enemy propaganda or give the enemy  
2 an excuse for resorting to measures of retaliation.

3 "6. Especially nothing shall be left to be  
4 desired in the procurement and supply of food in  
5 this plan for disposal of the prisoners of war.  
6 Every effort shall be made to maintain the minimum  
7 amount of food necessary to sustain the lives of the  
8 prisoners of war, even when transportation is cut off."  
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1 THE PRESIDENT: The certificate shows the  
2 date to be March, 1945.

3 MR. WOOLWORTH: Yes, sir.

4 THE PRESIDENT: I am asked to invite you to  
5 make clear whether you are now dealing with individual  
6 responsibility for treatment of prisoners of war.

7 MR. WOOLWORTH: I am aiming to deal with  
8 the individual responsibility for the mistreatment  
9 of prisoners of war, if the Tribunal please. I have  
10 neglected to indicate the names of the officials  
11 responsible for each one of the documents which  
12 contain illegal orders and provisions for the reason  
13 that there was supplied the Tribunal at the opening  
14 of this phase a list of the defendants with their  
15 official position and the dates.

16 THE PRESIDENT: Yes, Colonel.

17 MR. WOOLWORTH: Is there any further explan-  
18 ation that the Tribunal will require?

19 THE PRESIDENT: No, that is a simple question  
20 which you have answered. It does suggest you read  
21 far more than was necessary from many documents; but  
22 these phases necessarily overlap in some cases, and  
23 the evidence in one can be used on another.

24 Classification is a stupendous task here,  
25 Colonel.



1 MR. WOOLWORTH: If the Tribunal please, I  
2 have a series of ten or eleven excerpts from the  
3 interrogation of Hideki TOJO. I would prefer to  
4 have these read in sequence and complete at one time,  
5 if possible.

6 THE PRESIDENT: Well, it is almost four.  
7 We will adjourn until half-past nine tomorrow morning.

8 (Whereupon, at 1600, an adjournment  
9 was taken until Wednesday, 8 January 1947,  
10 at 0930)  
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